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135th General Assembly

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Sub. H. B. No. 74

Representatives Hall, Lightbody

Cosponsors: Representatives Johnson, Brennan, Upchurch, Dell'Aquila, Forhan, Seitz, Creech, John, Abdullahi, Baker, Bird, Brewer, Brown, Carruthers, Click, Dobos, Galonski, Grim, Gross, Holmes, Hoops, Isaacsohn, Kick, Merrin, Miller, A., Miller, J., Miranda, Russo, Schmidt, Somani, White, Williams, Young, T.

Senators Cirino, Gavarone, Huffman, S., Reynolds, Wilson

A BILL

To amend sections 3501.05, 3501.38, 3501.381, 1
3503.09, 3503.11, 3503.14, 3503.19, 3505.062, 2
3505.11, 3505.24, 3505.331, 3506.01, 3506.04, 3
3506.05, 3506.06, 3506.07, 3506.10, 3506.20, 4
3509.03, 3511.02, 3519.01, 3519.07, and 4507.09 5
and to enact sections 126.41 and 3506.16 of the 6
Revised Code to require state approval of voter 7
registration systems and ballots on demand 8
voting systems for use in Ohio, to limit the 9
circumstances in which a person may fill out an 10
election-related form on behalf of another, to 11
require a post-election audit of every election, 12
to establish a temporary board to make 13
recommendations regarding cybersecurity and 14
fraud prevention efforts across state agencies, 15
to modify the procedures for registering 16
electors through the Bureau of Motor Vehicles, 17
to require the Attorney General to certify the 18
title of a statewide initiative or referendum 19
petition along with its summary, and to modify 20

the requirements for petitions filed by new 21
political parties. 22

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

Section 1. That sections 3501.05, 3501.38, 3501.381, 23
3503.09, 3503.11, 3503.14, 3503.19, 3505.062, 3505.11, 3505.24, 24
3505.331, 3506.01, 3506.04, 3506.05, 3506.06, 3506.07, 3506.10, 25
3506.20, 3509.03, 3511.02, 3519.01, 3519.07, and 4507.09 be 26
amended and sections 126.41 and 3506.16 of the Revised Code be 27
enacted to read as follows: 28

Sec. 126.41. (A) (1) The cybersecurity and fraud advisory 29
board is created. The board shall examine and develop 30
recommendations with regard to best practices in, shared 31
experiences regarding, and future efforts to improve 32
cybersecurity and fraud prevention with respect to the 33
information technology systems and shared services used across 34
state agencies. 35

(2) The board shall not examine open vulnerabilities, 36
security protocols, or legal issues with respect to the state's 37
cybersecurity and fraud prevention measures. 38

(B) The board shall submit a report of its findings and 39
recommendations concerning the topics the board examines under 40
division (A) (1) of this section to the governor, the president 41
of the senate, the minority leader of the senate, the speaker of 42
the house of representatives, and the minority leader of the 43
house of representatives not later than twelve months after the 44
date of the board's first meeting. The board is abolished 45
following delivery of the report. 46

(C) The board consists of the following six members, all of whom must have a background and expertise in cybersecurity or fraud prevention to be eligible for appointment: 47
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(1) One member, who is an employee in the office of the governor, appointed by the governor; 50
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(2) One member, who is an employee in the office of the attorney general, appointed by the attorney general; 52
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(3) One member, who is an employee in the office of the auditor of state, appointed by the auditor of state; 54
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(4) One member, who is an employee in the office of the secretary of state, appointed by the secretary of state; 56
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(5) One member, who is an employee in the office of the treasurer of state, appointed by the treasurer of state; 58
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(6) The chief information security officer employed under section 125.18 of the Revised Code. 60
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(D) All appointments under division (C) of this section shall be made not later than ninety days after the effective date of this section. 62
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(E) The chief information security officer serves as the chairperson of the board. The board shall meet at the call of the chairperson and shall meet at least twice, with the first meeting occurring not later than ninety days after the final appointment under division (C) of this section is made. 65
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(F) Members serve without compensation and shall not be reimbursed for expenses. Members serve at the pleasure of the appointing authority. Vacancies shall be filled in the same manner as original appointments. 70
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<u>(G) The board shall not hold an executive session pursuant</u>	74
<u>to division (G) of section 121.22 of the Revised Code.</u>	75
Sec. 3501.05. The secretary of state shall do all of the	76
following:	77
(A) Appoint all members of boards of elections;	78
(B) Issue instructions by directives and advisories in	79
accordance with section 3501.053 of the Revised Code to members	80
of the boards as to the proper methods of conducting elections.	81
(C) Prepare rules and instructions for the conduct of	82
elections;	83
(D) Publish and furnish to the boards from time to time a	84
sufficient number of indexed copies of all election laws then in	85
force;	86
(E) Edit and issue all pamphlets concerning proposed laws	87
or amendments required by law to be submitted to the voters;	88
(F) Prescribe the form of registration cards, blanks, and	89
records;	90
(G) Determine and prescribe the forms of ballots and the	91
forms of all blanks, cards of instructions, pollbooks, tally	92
sheets, certificates of election, and forms and blanks required	93
by law for use by candidates, committees, and boards;	94
(H) Prepare the ballot title or statement to be placed on	95
the ballot for any proposed law or amendment to the constitution	96
to be submitted to the voters of the state;	97
(I) Except as otherwise provided in section 3519.08 of the	98
Revised Code, certify to the several boards the forms of ballots	99
and names of candidates for state offices, and the form and	100

wording of state referendum questions and issues, as they shall	101
appear on the ballot;	102
(J) Except as otherwise provided in division (I) (2) (b) of	103
section 3501.38 of the Revised Code, give final approval to	104
ballot language for any local question or issue approved and	105
transmitted by boards of elections under section 3501.11 of the	106
Revised Code;	107
(K) Receive all initiative and referendum petitions on	108
state questions and issues and determine and certify to the	109
sufficiency of those petitions;	110
(L) Require such reports from the several boards as are	111
provided by law, or as the secretary of state considers	112
necessary;	113
(M) Compel the observance by election officers in the	114
several counties of the requirements of the election laws;	115
(N) (1) Except as otherwise provided in division (N) (2) of	116
this section, investigate the administration of election laws,	117
frauds, and irregularities in elections in any county, and	118
report violations of election laws to the attorney general or	119
prosecuting attorney, or both, for prosecution;	120
(2) On and after August 24, 1995, report a failure to	121
comply with or a violation of a provision in sections 3517.08 to	122
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised	123
Code, whenever the secretary of state has or should have	124
knowledge of a failure to comply with or a violation of a	125
provision in one of those sections, by filing a complaint with	126
the Ohio elections commission under section 3517.153 of the	127
Revised Code.	128
(O) Make an annual report to the governor containing the	129

results of elections, the cost of elections in the various 130
counties, a tabulation of the votes in the several political 131
subdivisions, and other information and recommendations relative 132
to elections the secretary of state considers desirable; 133

(P) Prescribe and distribute to boards of elections a list 134
of instructions indicating all legal steps necessary to petition 135
successfully for local option elections under sections 4301.32 136
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 137

(Q) Adopt rules pursuant to Chapter 119. of the Revised 138
Code for the removal by boards of elections of ineligible voters 139
from the statewide voter registration database and, if 140
applicable, from the poll list or signature pollbook used in 141
each precinct, which rules shall provide for all of the 142
following: 143

(1) A process for the removal of voters who have changed 144
residence, which shall be uniform, nondiscriminatory, and in 145
compliance with the Voting Rights Act of 1965 and the National 146
Voter Registration Act of 1993, including a program that uses 147
the national change of address service provided by the United 148
States postal system through its licensees; 149

(2) A process for the removal of ineligible voters under 150
section 3503.21 of the Revised Code; 151

(3) A uniform system for marking or removing the name of a 152
voter who is ineligible to vote from the statewide voter 153
registration database and, if applicable, from the poll list or 154
signature pollbook used in each precinct and noting the reason 155
for that mark or removal. 156

~~(R)~~ (R) (1) Prescribe a general program for registering 157
voters or updating voter registration information, such as name 158

and residence changes, by boards of elections, designated 159
agencies, ~~offices of deputy registrars of motor vehicles,~~ public 160
high schools and vocational schools, public libraries, and 161
offices of county treasurers consistent with the requirements of 162
section 3503.09 of the Revised Code; 163

(2) Prescribe a general program for registering voters or 164
updating voter registration information through the registrar of 165
motor vehicles and deputy registrars, consistent with the 166
requirements of section 3503.11 of the Revised Code. 167

(S) Prescribe a program of distribution of voter 168
registration forms through boards of elections, designated 169
agencies, offices of the registrar and deputy registrars of 170
motor vehicles, public high schools and vocational schools, 171
public libraries, and offices of county treasurers; 172

(T) To the extent feasible, provide copies, at no cost and 173
upon request, of the voter registration form in post offices in 174
this state; 175

(U) Adopt rules pursuant to section 111.15 of the Revised 176
Code for the purpose of implementing the ~~program~~ programs for 177
registering voters through boards of elections, designated 178
agencies, and the offices of the registrar and deputy registrars 179
of motor vehicles consistent with this chapter; 180

(V) Establish the full-time position of Americans with 181
Disabilities Act coordinator within the office of the secretary 182
of state to do all of the following: 183

(1) Assist the secretary of state with ensuring that there 184
is equal access to polling places for persons with disabilities; 185

(2) Assist the secretary of state with ensuring that each 186
voter may cast the voter's ballot in a manner that provides the 187

same opportunity for access and participation, including privacy	188
and independence, as for other voters;	189
(3) Advise the secretary of state in the development of	190
standards for the certification of voting machines, marking	191
devices, and automatic tabulating equipment.	192
(W) Establish and maintain a computerized statewide	193
database of all legally registered voters under section 3503.15	194
of the Revised Code that complies with the requirements of the	195
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat.	196
1666, and provide training in the operation of that system;	197
(X) Ensure that all directives, advisories, other	198
instructions, or decisions issued or made during or as a result	199
of any conference or teleconference call with a board of	200
elections to discuss the proper methods and procedures for	201
conducting elections, to answer questions regarding elections,	202
or to discuss the interpretation of directives, advisories, or	203
other instructions issued by the secretary of state are posted	204
on a web site of the office of the secretary of state as soon as	205
is practicable after the completion of the conference or	206
teleconference call, but not later than the close of business on	207
the same day as the conference or teleconference call takes	208
place.	209
(Y) Publish a report on a web site of the office of the	210
secretary of state not later than one month after the completion	211
of the canvass of the election returns for each primary and	212
general election, identifying, by county, the number of absent	213
voter's ballots cast and the number of those ballots that were	214
counted, and the number of provisional ballots cast and the	215
number of those ballots that were counted, for that election.	216
The secretary of state shall maintain the information on the web	217

site in an archive format for each subsequent election.	218
(Z) Conduct voter education outlining voter identification, absent voters ballot, provisional ballot, and other voting requirements;	219 220 221
(AA) Establish a procedure by which a registered elector may make available to a board of elections a more recent signature to be used in the poll list or signature pollbook produced by the board of elections of the county in which the elector resides;	222 223 224 225 226
(BB) Disseminate information, which may include all or part of the official explanations and arguments, by means of direct mail or other written publication, broadcast, or other means or combination of means, as directed by the Ohio ballot board under division (F) of section 3505.062 of the Revised Code, in order to inform the voters as fully as possible concerning each proposed constitutional amendment, proposed law, or referendum;	227 228 229 230 231 232 233 234
(CC) Be the single state office responsible for the implementation of the "Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended, in this state. The secretary of state may delegate to the boards of elections responsibilities for the implementation of that act, including responsibilities arising from amendments to that act made by the "Military and Overseas Voter Empowerment Act," Subtitle H of the "National Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 111-84, 123 Stat. 3190.	235 236 237 238 239 240 241 242 243 244
(DD) Adopt rules, under Chapter 119. of the Revised Code, to establish procedures and standards for determining when a	245 246

board of elections shall be placed under the official oversight 247
of the secretary of state, placing a board of elections under 248
the official oversight of the secretary of state, a board that 249
is under official oversight to transition out of official 250
oversight, and the secretary of state to supervise a board of 251
elections that is under official oversight of the secretary of 252
state. 253

(EE) Perform other duties required by law. 254

Whenever a primary election is held under section 3513.32 255
of the Revised Code or a special election is held under section 256
3521.03 of the Revised Code to fill a vacancy in the office of 257
representative to congress, the secretary of state shall 258
establish a deadline, notwithstanding any other deadline 259
required under the Revised Code, by which any or all of the 260
following shall occur: the filing of a declaration of candidacy 261
and petitions or a statement of candidacy and nominating 262
petition together with the applicable filing fee; the filing of 263
protests against the candidacy of any person filing a 264
declaration of candidacy or nominating petition; the filing of a 265
declaration of intent to be a write-in candidate; the filing of 266
campaign finance reports; the preparation of, and the making of 267
corrections or challenges to, precinct voter registration lists; 268
the receipt of applications for absent voter's ballots or 269
uniformed services or overseas absent voter's ballots; the 270
supplying of election materials to precincts by boards of 271
elections; the holding of hearings by boards of elections to 272
consider challenges to the right of a person to appear on a 273
voter registration list; and the scheduling of programs to 274
instruct or reinstruct election officers. 275

In the performance of the secretary of state's duties as 276

the chief election officer, the secretary of state may 277
administer oaths, issue subpoenas, summon witnesses, compel the 278
production of books, papers, records, and other evidence, and 279
fix the time and place for hearing any matters relating to the 280
administration and enforcement of the election laws. 281

In any controversy involving or arising out of the 282
adoption of registration or the appropriation of funds for 283
registration, the secretary of state may, through the attorney 284
general, bring an action in the name of the state in the court 285
of common pleas of the county where the cause of action arose or 286
in an adjoining county, to adjudicate the question. 287

In any action involving the laws in Title XXXV of the 288
Revised Code wherein the interpretation of those laws is in 289
issue in such a manner that the result of the action will affect 290
the lawful duties of the secretary of state or of any board of 291
elections, the secretary of state may, on the secretary of 292
state's motion, be made a party. 293

The secretary of state may apply to any court that is 294
hearing a case in which the secretary of state is a party, for a 295
change of venue as a substantive right, and the change of venue 296
shall be allowed, and the case removed to the court of common 297
pleas of an adjoining county named in the application or, if 298
there are cases pending in more than one jurisdiction that 299
involve the same or similar issues, the court of common pleas of 300
Franklin county. 301

Public high schools and vocational schools, public 302
libraries, and the office of a county treasurer shall implement 303
voter registration programs as directed by the secretary of 304
state pursuant to this section. 305

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

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

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

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

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

(E) (1) On each petition paper, the circulator shall 336
indicate the number of signatures contained on it, and shall 337
sign a statement made under penalty of election falsification 338
that the circulator witnessed the affixing of every signature, 339
that all signers were to the best of the circulator's knowledge 340
and belief qualified to sign, and that every signature is to the 341
best of the circulator's knowledge and belief the signature of 342
the person whose signature it purports to be or of an attorney 343
in fact acting pursuant to section 3501.382 of the Revised Code. 344
On the circulator's statement for a declaration of candidacy or 345
nominating petition for a person seeking to become a statewide 346
candidate ~~or,~~ for a statewide initiative or a statewide 347
referendum petition, or for a party formation petition described 348
in division (A) (1) (b) of section 3517.01 of the Revised Code, 349
the circulator shall identify the circulator's name, the address 350
of the circulator's permanent residence, and the name and 351
address of the person employing the circulator to circulate the 352
petition, if any. 353

(2) As used in division (E) of this section, "statewide 354
candidate" means the joint candidates for the offices of 355
governor and lieutenant governor or a candidate for the office 356
of secretary of state, auditor of state, treasurer of state, or 357
attorney general. 358

(F) Except as otherwise provided in section 3501.382 of 359
the Revised Code, if a circulator knowingly permits an 360
unqualified person to sign a petition paper or permits a person 361
to write a name other than the person's own on a petition paper, 362
that petition paper is invalid; otherwise, the signature of a 363
person not qualified to sign shall be rejected but shall not 364
invalidate the other valid signatures on the paper. 365

(G) The circulator of a petition may, before filing it in 366
a public office, strike from it any signature the circulator 367
does not wish to present as a part of the petition. 368

(H) Any signer of a petition or an attorney in fact acting 369
pursuant to section 3501.382 of the Revised Code on behalf of a 370
signer may remove the signer's signature from that petition at 371
any time before the petition is filed in a public office by 372
striking the signer's name from the petition; no signature may 373
be removed after the petition is filed in any public office. 374

(I) (1) No alterations, corrections, or additions may be 375
made to a petition after it is filed in a public office. 376

(2) (a) No declaration of candidacy, nominating petition, 377
or other petition for the purpose of becoming a candidate may be 378
withdrawn after it is filed in a public office. Nothing in this 379
division prohibits a person from withdrawing as a candidate as 380
otherwise provided by law. 381

(b) No petition presented to or filed with the secretary 382
of state, a board of elections, or any other public office for 383
the purpose of the holding of an election on any question or 384
issue may be resubmitted after it is withdrawn from a public 385
office or rejected as containing insufficient signatures. 386
Nothing in this division prevents a question or issue petition 387
from being withdrawn by the filing of a written notice of the 388
withdrawal by a majority of the members of the petitioning 389
committee with the same public office with which the petition 390
was filed prior to the sixtieth day before the election at which 391
the question or issue is scheduled to appear on the ballot. 392

(J) All declarations of candidacy, nominating petitions, 393
or other petitions under this section shall be accompanied by 394

the following statement in boldface capital letters: WHOEVER 395
COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE 396
FIFTH DEGREE. 397

(K) All separate petition papers shall be filed at the 398
same time, as one instrument. 399

(L) If a board of elections distributes for use a petition 400
form for a declaration of candidacy, nominating petition, or any 401
type of question or issue petition that does not satisfy the 402
requirements of law as of the date of that distribution, the 403
board shall not invalidate the petition on the basis that the 404
petition form does not satisfy the requirements of law, if the 405
petition otherwise is valid. Division (L) of this section 406
applies only if the candidate received the petition from the 407
board within ninety days of when the petition is required to be 408
filed. 409

(M) (1) Upon receiving an initiative petition, or a 410
petition filed under section 307.94 or 307.95 of the Revised 411
Code, concerning a ballot issue that is to be submitted to the 412
electors of a county or municipal political subdivision, the 413
board of elections shall examine the petition to determine: 414

(a) Whether the petition falls within the scope of a 415
municipal political subdivision's authority to enact via 416
initiative, including, if applicable, the limitations placed by 417
Sections 3 and 7 of Article XVIII of the Ohio Constitution on 418
the authority of municipal corporations to adopt local police, 419
sanitary, and other similar regulations as are not in conflict 420
with general laws, and whether the petition satisfies the 421
statutory prerequisites to place the issue on the ballot. The 422
petition shall be invalid if any portion of the petition is not 423
within the initiative power; or 424

(b) Whether the petition falls within the scope of a 425
county's authority to enact via initiative, including whether 426
the petition conforms to the requirements set forth in Section 3 427
of Article X of the Ohio Constitution, including the exercise of 428
only those powers that have vested in, and the performance of 429
all duties imposed upon counties and county officers by law, and 430
whether the petition satisfies the statutory prerequisites to 431
place the issue on the ballot. The finding of the board shall be 432
subject to challenge by a protest filed pursuant to division (B) 433
of section 307.95 of the Revised Code. 434

(2) After making a determination under division (M) (1) (a) 435
or (b) of this section, the board of elections shall promptly 436
transmit a copy of the petition and a notice of the board's 437
determination to the office of the secretary of state. Notice of 438
the board's determination shall be given to the petitioners and 439
the political subdivision. 440

(3) If multiple substantially similar initiative petitions 441
are submitted to multiple boards of elections and the 442
determinations of the boards under division (M) (1) (a) or (b) of 443
this section concerning those petitions differ, the secretary of 444
state shall make a single determination under division (M) (1) (a) 445
or (b) of this section that shall apply to each such initiative 446
petition. 447

Sec. 3501.381. (A) (1) Any person who will receive 448
compensation for supervising, managing, or otherwise organizing 449
any effort to obtain signatures for a declaration of candidacy, 450
nominating petition, or declaration of intent to be a write-in 451
candidate for a person seeking to become a statewide candidate 452
~~or,~~ for a statewide initiative petition or a statewide 453
referendum petition, or for a party formation petition described 454

in division (A) (1) (b) of section 3517.01 of the Revised Code 455
shall file a statement to that effect with the office of the 456
secretary of state before any signatures are obtained for the 457
petition or before the person is engaged to supervise, manage, 458
or otherwise organize the effort to obtain signatures for the 459
petition, whichever is later. 460

(2) Any person who will compensate a person for 461
supervising, managing, or otherwise organizing any effort to 462
obtain signatures for a declaration of candidacy, nominating 463
petition, or declaration of intent to be a write-in candidate 464
for a person seeking to become a statewide candidate ~~or~~, for a 465
statewide initiative or a statewide referendum petition, or for 466
a party formation petition described in division (A) (1) (b) of 467
section 3517.01 of the Revised Code shall file a statement to 468
that effect with the office of the secretary of state before any 469
signatures are obtained for the petition or before the person 470
engages a person to supervise, manage, or otherwise organize the 471
effort to obtain signatures for the petition, whichever is 472
later. 473

(B) The secretary of state shall prescribe the form and 474
content of the statements required under division (A) of this 475
section. 476

(C) Whoever violates division (A) of this section is 477
guilty of a misdemeanor of the first degree, and the petition 478
for which a person was compensated for supervising, managing, or 479
otherwise organizing the effort to obtain signatures shall be 480
deemed invalid. 481

(D) As used in this section, "statewide candidate" means 482
the joint candidates for the offices of governor and lieutenant 483
governor or a candidate for the office of secretary of state, 484

auditor of state, treasurer of state, or attorney general. 485

Sec. 3503.09. (A) (1) The secretary of state shall adopt 486
rules for the electronic transmission by boards of elections, 487
designated agencies, ~~offices of deputy registrars of motor~~ 488
~~vehicles,~~ public high schools and vocational schools, public 489
libraries, and offices of county treasurers, where applicable, 490
of name and residence changes for voter registration records in 491
the statewide voter registration database. 492

(2) The secretary of state shall adopt rules for the 493
purpose of improving the speed of processing new voter 494
registrations that permit information from a voter registration 495
application received by a designated agency ~~or an office of~~ 496
~~deputy registrar of motor vehicles~~ to be made available 497
electronically, in addition to requiring the original voter 498
registration application to be transmitted to the applicable 499
board of elections under division (E) (2) of section 3503.10 ~~or~~ 500
~~section 3503.11~~ of the Revised Code. 501

(B) Rules adopted under division (A) of this section shall 502
do all of the following: 503

(1) Prohibit any direct electronic connection between a 504
designated agency, ~~office of deputy registrar of motor vehicles,~~ 505
public high school or vocational school, public library, or 506
office of a county treasurer and the statewide voter 507
registration database; 508

(2) Require any updated voter registration information to 509
be verified by the secretary of state or a board of elections 510
before the information is added to the statewide voter 511
registration database for the purpose of modifying an existing 512
voter registration; 513

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

Sec. 3503.11. (A) (1) When any person applies for a driver's license, commercial driver's license, a state of Ohio identification card issued under section 4507.50 of the Revised Code, or motorcycle operator's license or endorsement, or the renewal or duplicate of any license or endorsement under Chapter 4506. or 4507. of the Revised Code, the registrar of motor vehicles or deputy registrar shall offer the applicant the opportunity to register to vote or to update the applicant's voter registration by electronic means in conjunction with the person's transaction with the registrar or deputy registrar, in a manner prescribed by the secretary of state. ~~The registrar of motor vehicles or deputy registrar also shall make available to all other customers voter registration applications and change of residence and change of name, forms, but is not required to offer assistance to these customers in completing a voter registration application or other form.~~

~~The~~ (2) When any person submits a notice of change of address to the registrar under division (C) of section 4507.09 of the Revised Code, the registrar shall offer the applicant the opportunity to submit a notice of change of address for voter registration purposes by electronic means in conjunction with the person's transaction with the registrar, in a manner prescribed by the secretary of state.

(3) When a person registers to vote or updates the

person's voter registration under division (A) (1) or (2) of this 544
section, the registrar or deputy registrar shall electronically 545
transmit the person's signature that is on file with the bureau 546
of motor vehicles with the electronic record of the voter 547
registration or update, and that signature shall be considered 548
the person's signature on the voter registration or update and 549
for all other election and signature-matching purposes. 550

(B) Within twenty-four hours after a person registers to 551
vote or updates the person's voter registration under division 552
(A) of this section, the registrar or deputy registrar shall 553
send any registration application or any change of residence or 554
change of name form that was completed and submitted in paper 555
form to the deputy registrar to the board of elections of the 556
county in which the office of the deputy registrar is located, 557
within five days after accepting the application or other form. 558
The registrar shall send any completed registration application 559
received at the bureau of motor vehicles headquarters location 560
and any completed change of residence or change of name form 561
processed electronically in systems or programs operated and 562
maintained by the bureau of motor vehicles to the secretary of 563
state within five days after accepting the application or other 564
form. transmit the electronic record of the voter registration or 565
update to the secretary of state by electronic means in a manner 566
prescribed by the secretary of state by rule. Rules adopted 567
under this division shall do all of the following: 568

(1) Prohibit any direct electronic connection between the 569
office of the registrar or a deputy registrar and the statewide 570
voter registration database; 571

(2) Require any voter registration information to be 572
verified by the secretary of state or a board of elections 573

before the information is added to the statewide voter 574
registration database; 575

(3) Require the registrar or deputy registrar to 576
electronically date stamp each electronic record in a manner 577
that does not disclose the identity of the office that receives 578
the voter registration or update. 579

(C) (1) The registrar of motor vehicles and each deputy 580
registrar also shall make available to all other customers paper 581
voter registration applications and update forms, but are not 582
required to offer assistance to customers in completing those 583
forms. The bureau of motor vehicles shall supply all of its 584
deputy registrars with a sufficient number of voter registration 585
applications and update forms. 586

(2) Within five days after a person submits a completed 587
paper voter registration application or update form to the 588
registrar or a deputy registrar, the registrar or deputy 589
registrar shall send the form to the board of elections of the 590
county in which the office of the registrar or deputy registrar 591
is located. 592

(D) The registrar shall collect from each deputy registrar 593
through the reports filed under division (J) of section 4503.03 594
of the Revised Code and transmit to the secretary of state 595
information on the number of voter registration applications and 596
change of residence or change of name forms completed or 597
declined, and any additional information required by the 598
secretary of state to comply with the National Voter 599
Registration Act of 1993. No information relating to an 600
applicant's decision to decline to register or update the 601
applicant's voter registration at the office of the registrar or 602
deputy registrar may be used for any purpose other than voter 603

registration record-keeping required by the secretary of state, 604
and all such information shall be kept confidential. 605

~~The secretary of state shall prescribe voter registration 606
applications and change of residence and change of name forms 607
for use by the bureau of motor vehicles. The bureau of motor 608
vehicles shall supply all of its deputy registrars with a 609
sufficient number of voter registration applications and change 610
of residence and change of name forms. 611~~

Sec. 3503.14. (A) The secretary of state shall prescribe 612
the form and content of the registration, change of residence, 613
and change of name forms used in this state. The forms shall 614
meet the requirements of the National Voter Registration Act of 615
1993 and shall include spaces for all of the following: 616

(1) The voter's name; 617

(2) The voter's address; 618

(3) The current date; 619

(4) The voter's date of birth; 620

(5) The voter to provide at least one of the following 621
forms of identification: 622

(a) The voter's Ohio driver's license or state 623
identification card number; 624

(b) The last four digits of the voter's social security 625
number. 626

(6) The voter's signature. 627

The registration form shall include a space on which the 628
person registering an applicant shall sign the person's name and 629
provide the person's address and a space on which the person 630

registering an applicant shall name the employer who is 631
employing that person to register the applicant. 632

The forms shall include a box for the person filling out 633
the form to check to indicate, if applicable, that the person 634
has filled out all or part of the form on behalf of the 635
applicant because the applicant declares that the applicant 636
requires such assistance by reason of blindness, disability, or 637
illiteracy. 638

Except for forms prescribed by the secretary of state 639
under section 3503.11 of the Revised Code, the secretary of 640
state shall permit boards of elections to produce forms that 641
have subdivided spaces for each individual alphanumeric 642
character of the information provided by the voter so as to 643
accommodate the electronic reading and conversion of the voter's 644
information to data and the subsequent electronic transfer of 645
that data to the statewide voter registration database 646
established under section 3503.15 of the Revised Code. 647

(B) None of the following persons who are registering an 648
applicant in the course of that official's or employee's normal 649
duties shall sign the person's name, provide the person's 650
address, or name the employer who is employing the person to 651
register an applicant on a form prepared under this section: 652

(1) An election official; 653

(2) A county treasurer; 654

(3) A deputy registrar of motor vehicles; 655

(4) An employee of a designated agency; 656

(5) An employee of a public high school; 657

(6) An employee of a public vocational school; 658

(7) An employee of a public library;	659
(8) An employee of the office of a county treasurer;	660
(9) An employee of the bureau of motor vehicles;	661
(10) An employee of a deputy registrar of motor vehicles;	662
(11) An employee of an election official.	663
(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.	664 665 666 667 668 669 670 671 672 673 674
(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.	675 676 677 678 679 680
(E) A voter registration application <u>submitted electronically through the registrar of motor vehicles or a deputy registrar pursuant to section 3503.11 or 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 <u>under division (A)(3) of section 3503.11 or under division (B) of that section 3503.20 of the</u></u>	681 682 683 684 685 686 687

Revised Code, as applicable, shall be considered the applicant's 688
signature for all election and signature-matching purposes. 689

~~(F)~~(F)(1) Except as otherwise provided in division (C) of 690
this section and in sections 3501.382 and 3505.24 of the Revised 691
Code, no person shall preprint or fill out any portion of a 692
voter registration, change of residence, or change of name form 693
on behalf of an applicant. 694

(2) A completed voter registration, change of residence, 695
or change of name form is not valid if any portion of it has 696
been completed by any person other than the applicant in 697
violation of division (F)(1) of this section. 698

(G) As used in this section, "registering an applicant" 699
includes any effort, for compensation, to provide voter 700
registration forms or to assist persons in completing or 701
returning those forms. 702

Sec. 3503.19. (A) Persons qualified to register or to 703
change their registration because of a change of address or 704
change of name may register or change their registration in 705
person at any state or local office of a designated agency, at 706
the office of the registrar or any deputy registrar of motor 707
vehicles, at a public high school or vocational school, at a 708
public library, at the office of a county treasurer, or at a 709
branch office established by the board of elections, or in 710
person, through another person, or by mail at the office of the 711
secretary of state or at the office of a board of elections. A 712
registered elector may also change the elector's registration on 713
election day at any polling place where the elector is eligible 714
to vote, in the manner provided under section 3503.16 of the 715
Revised Code. 716

Any state or local office of a designated agency, ~~the~~ 717
~~office of the registrar or any deputy registrar of motor~~ 718
~~vehicles,~~ a public high school or vocational school, a public 719
library, or the office of a county treasurer shall transmit any 720
voter registration application or change of registration form 721
that it receives to the board of elections of the county in 722
which the state or local office is located, within five days 723
after receiving the voter registration application or change of 724
registration form. The office of the registrar or any deputy 725
registrar of motor vehicles shall transmit any electronic voter 726
registration application or change of registration that it 727
receives to the secretary of state within twenty-four hours 728
after receiving it, and shall transmit any paper voter 729
registration application or change of registration form that it 730
receives to the board of elections of the county in which the 731
office of the registrar or deputy registrar is located within 732
five days after receiving the voter registration application or 733
change of registration form, as required under section 3503.11 734
of the Revised Code. 735

An otherwise valid voter registration application that is 736
returned to the appropriate office other than by mail must be 737
received by a state or local office of a designated agency, the 738
office of the registrar or any deputy registrar of motor 739
vehicles, a public high school or vocational school, a public 740
library, the office of a county treasurer, the office of the 741
secretary of state, or the office of a board of elections no 742
later than the thirtieth day preceding a primary, special, or 743
general election for the person to qualify as an elector 744
eligible to vote at that election. An otherwise valid 745
registration application received after that day entitles the 746
elector to vote at all subsequent elections. 747

Any state or local office of a designated agency, the 748
office of the registrar or any deputy registrar of motor 749
vehicles, a public high school or vocational school, a public 750
library, or the office of a county treasurer shall date stamp a 751
registration application or change of name or change of address 752
form it receives using a date stamp that does not disclose the 753
identity of the state or local office that receives the 754
registration. 755

Voter registration applications, if otherwise valid, that 756
are returned by mail to the office of the secretary of state or 757
to the office of a board of elections must be postmarked no 758
later than the thirtieth day preceding a primary, special, or 759
general election in order for the person to qualify as an 760
elector eligible to vote at that election. If an otherwise valid 761
voter registration application that is returned by mail does not 762
bear a postmark or a legible postmark, the registration shall be 763
valid for that election if received by the office of the 764
secretary of state or the office of a board of elections no 765
later than twenty-five days preceding any special, primary, or 766
general election. 767

(B) (1) Any person may apply in person, by telephone, by 768
mail, or through another person for voter registration forms to 769
the office of the secretary of state or the office of a board of 770
elections. An individual who is eligible to vote as a uniformed 771
services voter or an overseas voter in accordance with 42 U.S.C. 772
1973ff-6 also may apply for voter registration forms by 773
electronic means to the office of the secretary of state or to 774
the board of elections of the county in which the person's 775
voting residence is located pursuant to section 3503.191 of the 776
Revised Code. 777

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

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

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

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

before an election, the board or the office of the secretary of 808
state, as applicable, shall forward the registration to the 809
board of elections of the county in which the applicant is 810
seeking to register to vote within thirty days after that 811
election. 812

(C) (1) A board of elections that receives a voter 813
registration application and is satisfied as to the truth of the 814
statements made in the registration form shall register the 815
applicant not later than twenty business days after receiving 816
the application, unless that application is received during the 817
thirty days immediately preceding the day of an election. The 818
board shall promptly notify the applicant in writing of each of 819
the following: 820

(a) The applicant's registration; 821

(b) The precinct in which the applicant is to vote; 822

(c) In bold type as follows: 823

"Voters must bring photo identification to the polls in 824
order to verify identity. Voters who do not provide photo 825
identification will still be able to vote by casting a 826
provisional ballot." 827

The notification shall be by nonforwardable mail. If the 828
mail is returned to the board, it shall investigate and cause 829
the notification to be delivered to the correct address. 830

(2) If, after investigating as required under division (C) 831
(1) of this section, the board is unable to verify the voter's 832
correct address, it shall cause the voter's name in the official 833
registration list and in the poll list or signature pollbook to 834
be marked to indicate that the voter's notification was returned 835
to the board. 836

At the first election at which a voter whose name has been 837
so marked appears to vote, the voter shall be required to vote 838
by provisional ballot under section 3505.181 of the Revised 839
Code. If the provisional ballot is counted pursuant to division 840
(B) (3) of section 3505.183 of the Revised Code, the board shall 841
correct that voter's registration, if needed, and shall remove 842
the indication that the voter's notification was returned from 843
that voter's name on the official registration list and on the 844
poll list or signature pollbook. If the provisional ballot is 845
not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 846
section 3505.183 of the Revised Code, the voter's registration 847
shall be canceled. The board shall notify the voter by United 848
States mail of the cancellation. 849

(3) If a notice of the disposition of an otherwise valid 850
registration application is sent by nonforwardable mail and is 851
returned undelivered, the person shall be registered as provided 852
in division (C) (2) of this section and sent a confirmation 853
notice by forwardable mail. If the person fails to respond to 854
the confirmation notice, update the person's registration, or 855
vote by provisional ballot as provided in division (C) (2) of 856
this section in any election during the period of two federal 857
elections subsequent to the mailing of the confirmation notice, 858
the person's registration shall be canceled. 859

Sec. 3505.062. The Ohio ballot board shall do all of the 860
following: 861

(A) Examine, within ten days after its receipt, each 862
written initiative petition received from the attorney general 863
under section 3519.01 of the Revised Code to determine whether 864
it contains only one proposed law or constitutional amendment so 865
as to enable the voters to vote on a proposal separately. If the 866

board so determines, it shall certify its approval to the 867
attorney general, who then shall file with the secretary of 868
state in accordance with division (A) of section 3519.01 of the 869
Revised Code a verified copy of the proposed law or 870
constitutional amendment together with its title and summary and 871
the attorney general's certification of ~~it~~ the title and 872
summary. 873

If the board determines that the initiative petition 874
contains more than one proposed law or constitutional amendment, 875
the board shall divide the initiative petition into individual 876
petitions containing only one proposed law or constitutional 877
amendment so as to enable the voters to vote on each proposal 878
separately and certify its approval to the attorney general. If 879
the board so divides an initiative petition and so certifies its 880
approval to the attorney general, the petitioners shall resubmit 881
to the attorney general appropriate titles and summaries for 882
each of the individual petitions arising from the board's 883
division of the initiative petition, and the attorney general 884
then shall review the resubmissions as provided in division (A) 885
of section 3519.01 of the Revised Code. 886

(B) Prescribe the ballot language for constitutional 887
amendments proposed by the general assembly to be printed on the 888
questions and issues ballot, which language shall properly 889
identify the substance of the proposal to be voted upon; 890

(C) Prepare an explanation of each constitutional 891
amendment proposed by the general assembly, which explanation 892
may include the purpose and effects of the proposed amendment; 893

(D) Certify the ballot language and explanation, if any, 894
to the secretary of state no later than seventy-five days before 895
the election at which the proposed question or issue is to be 896

submitted to the voters;	897
(E) Prepare, or designate a group of persons to prepare,	898
arguments in support of or in opposition to a constitutional	899
amendment proposed by a resolution of the general assembly, a	900
constitutional amendment or state law proposed by initiative	901
petition, or a state law, or section or item of state law,	902
subject to a referendum petition, if the persons otherwise	903
responsible for the preparation of those arguments fail to	904
timely prepare and file them;	905
(F) Direct the means by which the secretary of state shall	906
disseminate information concerning proposed constitutional	907
amendments, proposed laws, and referenda to the voters;	908
(G) Direct the secretary of state to contract for the	909
publication in a newspaper of general circulation in each county	910
in the state of the ballot language, explanations, and arguments	911
regarding each of the following:	912
(1) A constitutional amendment or law proposed by	913
initiative petition under Section 1g of Article II of the Ohio	914
Constitution;	915
(2) A law, section, or item of law submitted to the	916
electors by referendum petition under Section 1g of Article II	917
of the Ohio Constitution;	918
(3) A constitutional amendment submitted to the electors	919
by the general assembly under Section 1 of Article XVI of the	920
Ohio Constitution.	921
Sec. 3505.11. (A) The ballots, with the stubs attached,	922
shall be bound into tablets for each precinct, which tablets	923
shall contain at least one per cent more ballots than the total	924
registration in the precinct, except as otherwise provided in	925

division (B) of this section. Upon the covers of the tablets 926
shall be written, printed, or stamped the designation of the 927
precinct for which the ballots have been prepared. All official 928
ballots shall be printed uniformly upon the same kind and 929
quality of paper and shall be of the same shape, size, and type. 930

Electors who have failed to respond within thirty days to 931
any confirmation notice shall not be counted in determining the 932
number of ballots to be printed under this section. 933

(B) (1) ~~A~~ If the board of elections may choose to provide 934
uses a ballots on demand. If a board so chooses voting system, 935
as defined in section 3506.01 of the Revised Code, the board 936
shall have prepared for each precinct at least five per cent 937
more ballots for an election than the number specified below for 938
that kind of election: 939

(a) For a primary election or a special election held on 940
the day of a primary election, the total number of electors in 941
that precinct who voted in the primary election held four years 942
previously; 943

(b) For a general election or a special election held on 944
the day of a general election, the total number of electors in 945
that precinct who voted in the general election held four years 946
previously; 947

(c) For a special election held at any time other than on 948
the day of a primary or general election, the total number of 949
electors in that precinct who voted in the most recent primary 950
or general election, whichever of those elections occurred in 951
the precinct most recently. 952

(2) If, after the board complies with the requirements of 953
division (B) (1) of this section, the election officials of a 954

precinct determine that the precinct will not have enough 955
ballots to enable all the qualified electors in the precinct who 956
wish to vote at a particular election to do so, the officials 957
shall request that the board provide additional ballots, and the 958
board shall provide enough additional ballots, to that precinct 959
in a timely manner so that all qualified electors in that 960
precinct who wish to vote at that election may do so. 961

Sec. 3505.24. (A) Notwithstanding any provision of the 962
Revised Code to the contrary, any elector who ~~does both of the~~ 963
~~following~~ declares that the elector, by reason of blindness, 964
disability, or illiteracy, is unable to complete a voter 965
registration, change of residence, or change of name form, to 966
mark a ballot, to complete an application for absent voter's 967
ballots or an identification envelope statement of voter, to 968
complete a provisional ballot affirmation, or to complete any 969
other form prescribed under Title XXXV of the Revised Code may 970
be accompanied in the voting booth and receive assistance in 971
doing so under division (B) of this section. An election 972
official may require an elector to make a declaration of 973
inability under oath before the election official in order for 974
the elector to receive assistance when voting or casting absent 975
voter's ballots in person. 976

(B) An elector who is eligible to receive assistance under 977
division (A) of this section may be assisted as follows: 978

(1) The elector may be aided by any person of the 979
elector's choice, ~~other than the~~ and, if applicable, may be 980
accompanied in the voting booth by that person, provided that 981
none of the following persons may assist an elector under 982
division (B)(1) of this section: 983

(a) The elector's employer, ~~an~~; 984

(b) An agent of the elector's employer, or an ;	985
(c) An officer or agent of the elector's union, if any:	986
(A) Appears to vote on the day of an election or appears at the office of the board of elections to cast absent voter's ballots in person; and	987 988 989
(B) Declares to the presiding judge of elections or to the election official who is accepting applications to cast absent voter's ballots in person that the elector is unable to mark the elector's ballot by reason of blindness, disability, or illiteracy. ;	990 991 992 993 994
(d) A candidate whose name appears on the ballot, except that such a candidate may assist an elector in completing a voter registration, change of residence, or change of name form.	995 996 997
(2) The elector also may request and receive assistance in the marking of the elector's ballot from two election officials of different political parties. Any	998 999 1000
(C) Any person providing assistance in the marking of an elector's ballot under this section shall thereafter provide no information in regard to the marking of that ballot.	1001 1002 1003
Any election official may require a declaration of inability to be made by the elector under oath before the election official. (D) Assistance shall not be rendered for causes other than those specified in this section, and no candidate whose name appears on the ballot shall assist any person in marking that person's ballot.	1004 1005 1006 1007 1008 1009
Sec. 3505.331. (A) After declaring the official results of a general <u>any</u> election or of a primary election held in an even numbered year, as described in section 3505.33 of the Revised	1010 1011 1012

Code, the board of elections shall audit those results in 1013
accordance with this section. Except as otherwise provided in 1014
this division, the board shall begin the audit not earlier than 1015
six days after it declares the official results and shall 1016
complete the audit not later than the twenty-first day after it 1017
declares the official results. If the board conducts a recount, 1018
the board shall begin the audit immediately after the board 1019
certifies the results of the recount and shall complete the 1020
audit not later than the fourteenth day after it certifies the 1021
results of the recount. 1022

(B) The board shall conduct the audit in accordance with 1023
procedures prescribed by the secretary of state, which shall 1024
include all of the following: 1025

(1) (a) Except as otherwise provided in division (B) (1) (b) 1026
of this section, a requirement that the board audit not less 1027
than three contested races, questions, or issues, as directed by 1028
the secretary of state. If fewer than three contested races, 1029
questions, or issues appear on the ballot at the election, then 1030
the board shall audit every contested race, question, and issue. 1031
In any election, every contested race, question, or issue shall 1032
be eligible to be audited. 1033

(b) If the board ordered a countywide recount of the 1034
results of a race, question, or issue under section 3515.011 of 1035
the Revised Code, the recount shall be considered an audit for 1036
purposes of meeting the requirement that the board audit not 1037
less than three contested races, questions, or issues. 1038

(2) A requirement that every ballot that was included in 1039
the canvass of the election returns be eligible to be audited, 1040
including regular ballots cast on the day of the election, 1041
absent voter's ballots, and provisional ballots. 1042

(3) Either a provision allowing the board to choose one of 1043
the following protocols to use in conducting the audit or a 1044
provision requiring the board to use a protocol selected by the 1045
secretary of state from the following protocols in conducting 1046
the audit: 1047

(a) A risk-limiting audit protocol, which shall use 1048
statistical methods to limit to acceptable levels the risk of 1049
certifying an incorrect outcome for a particular race, question, 1050
or issue. The protocol shall require bipartisan teams of 1051
election officials to physically examine and hand count randomly 1052
sampled ballots and to continue the hand counting until the 1053
results of the hand count provide sufficiently strong evidence 1054
that a hand count of all of the ballots would confirm the 1055
election result declared under section 3505.33 of the Revised 1056
Code or until all of the ballots have been hand counted, 1057
whichever occurs first. 1058

(b) (i) A percentage-based audit protocol, which shall 1059
require bipartisan teams of election officials to physically 1060
examine and hand count a number of randomly sampled ballots 1061
equal to a given percentage of the total number of ballots cast 1062
in the county at that election, as prescribed by the secretary 1063
of state. After the election officials complete the initial 1064
audit, the board shall calculate, as a percentage, the accuracy 1065
rate of each audited race, question, or issue by dividing the 1066
sum of any discrepancies for the race, question, or issue 1067
discovered during the audit by the total number of ballots 1068
audited for the race, question, or issue and subtracting the 1069
resulting number from one. 1070

(ii) If the accuracy rate for an audited race, question, 1071
or issue is less than the acceptable accuracy rate prescribed by 1072

the secretary of state, the board shall escalate the audit of 1073
that race, question, or issue by requiring bipartisan teams of 1074
election officials to physically examine and hand count a second 1075
set of randomly sampled ballots equal to a given percentage of 1076
the total number of ballots cast in the county at that election, 1077
as prescribed by the secretary of state. The second set of 1078
ballots shall not include any ballots that were included in the 1079
first set of audited ballots. After the election officials have 1080
counted the second set of ballots, the board shall calculate the 1081
combined accuracy rate for both audited sets of ballots for that 1082
race, question, or issue. 1083

(c) Another audit protocol approved by the secretary of 1084
state. 1085

(C) The board shall give public notice of the times and 1086
places for preparing for and conducting the audit in accordance 1087
with section 121.22 of the Revised Code. At all times while the 1088
board prepares for and conducts the audit, the board shall 1089
permit observers appointed under section 3505.21 of the Revised 1090
Code. 1091

No person other than a member of the board or a designated 1092
employee of the board shall be permitted to handle a ballot. 1093

(D) (1) Not later than five days after completing the 1094
audit, the board shall certify the results of the audit to the 1095
secretary of state in the form and by the method prescribed by 1096
the secretary of state. The secretary of state shall make the 1097
results of the audit available to the public on the secretary of 1098
state's official web site. 1099

(2) If the board conducted a percentage-based audit and 1100
was required to escalate the audit of a race, question, or issue 1101

under division (B) (3) (b) (ii) of this section, and the combined 1102
accuracy rate for that race, question, or issue is less than the 1103
acceptable combined accuracy rate prescribed by the secretary of 1104
state, the secretary of state may require the board to order 1105
bipartisan teams of election officials to physically examine and 1106
hand count all ballots cast for that race, question, or issue. 1107
The requirements of division (C) of this section apply to any 1108
full hand count conducted under this division. 1109

(3) If the results of the completed audit or the results 1110
of any full hand count ordered under division (D) (2) of this 1111
section indicate that the canvass or the previously declared 1112
official election results must be amended, the board promptly 1113
shall amend the canvass or issue an amended declaration of the 1114
official results, as applicable. 1115

(E) The secretary of state shall, in accordance with 1116
directives issued by the secretary of state, reimburse boards of 1117
elections for costs incurred to conduct an audit under this 1118
section. 1119

(F) As used in this section: 1120

(1) "Ballot" means either a paper ballot or the relevant 1121
entry on a voter verified paper audit trail. 1122

(2) "Voter verified paper audit trail" has the same 1123
meaning as in section 3506.01 of the Revised Code. 1124

Sec. 3506.01. As used in this chapter and Chapters 3501., 1125
3503., 3505., 3509., 3511., 3513., 3515., 3517., 3519., 3521., 1126
3523., and 3599. of the Revised Code: 1127

(A) "Marking device" means an apparatus operated by a 1128
voter to record the voter's choices through the marking of 1129
ballots enabling them to be examined and counted by automatic 1130

tabulating equipment. 1131

(B) "Ballot" means the official election presentation of 1132
offices and candidates, including write-in candidates, and of 1133
questions and issues, and the means by which votes are recorded. 1134

(C) "Automatic tabulating equipment" means a machine or 1135
electronic device, or interconnected or interrelated machines or 1136
electronic devices, that will automatically examine and count 1137
votes recorded on ballots. Automatic tabulating equipment may 1138
allow for the voter's selections to be indicated by marks made 1139
on a paper record by an electronic marking device. 1140

(D) "Central counting station" means a location, or one of 1141
a number of locations, designated by the board of elections for 1142
the automatic examining, sorting, or counting of ballots. 1143

(E) "Voting machines" means mechanical or electronic 1144
equipment for the direct recording and tabulation of votes. 1145

(F) "Direct recording electronic voting machine" means a 1146
voting machine that records votes by means of a ballot display 1147
provided with mechanical or electro-optical components that can 1148
be actuated by the voter, that processes the data by means of a 1149
computer program, and that records voting data and ballot images 1150
in internal or external memory components. A "direct recording 1151
electronic voting machine" produces a tabulation of the voting 1152
data stored in a removable memory component and in printed copy. 1153
"Direct recording electronic voting machine" does not include a 1154
voting machine that captures votes by means of a ballot display 1155
but that transfers those votes onto an optical scan ballot or 1156
other paper record for tabulation. 1157

(G) "Help America Vote Act of 2002" means the "Help 1158
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666. 1159

(H) "Voter verified paper audit trail" means a physical paper printout on which the voter's ballot choices, as registered by a direct recording electronic voting machine, are recorded. The voter shall be permitted to visually or audibly inspect the contents of the physical paper printout. The physical paper printout shall be securely retained at the polling place until the close of the polls on the day of the election; the secretary of state shall adopt rules under Chapter 119. of the Revised Code specifying the manner of storing the physical paper printout at the polling place. After the physical paper printout is produced, but before the voter's ballot is recorded, the voter shall have an opportunity to accept or reject the contents of the printout as matching the voter's ballot choices. If a voter rejects the contents of the physical paper printout, the system that produces the voter verified paper audit trail shall invalidate the printout and permit the voter to recast the voter's ballot. On and after the first federal election that occurs after January 1, 2006, unless required sooner by the Help America Vote Act of 2002, any system that produces a voter verified paper audit trail shall be accessible to disabled voters, including visually impaired voters, in the same manner as the direct recording electronic voting machine that produces it.

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

(J) "Ballots on demand voting system" means a system that utilizes ballots printed as needed by election officials at the board of elections for distribution to electors, either in person or by mail.

Sec. 3506.04. (A) If it is impracticable to supply each 1191
election precinct with voting machines or marking devices for 1192
use at the next election following the adoption of such 1193
equipment, as many shall be supplied for that election and the 1194
succeeding elections as it is practicable to procure either by 1195
purchase or lease, or by a combination of both, and such 1196
equipment may be used in election precincts within the county as 1197
the board of elections directs until such time as it is 1198
practicable to provide the total number of voting machines or 1199
marking devices necessary to supply all precincts within the 1200
county, provided that the total number of voting machines or 1201
marking devices necessary to supply all precincts shall be 1202
procured by purchase or lease, or by a combination of both as 1203
soon as practicable after their adoption. 1204

(B) The board of elections shall be charged with the 1205
custody of all equipment acquired by the county, and shall see 1206
that all such equipment is kept in proper working order and in 1207
good repair. The board of county commissioners of any county or 1208
the board of elections, upon recommendation of the board of 1209
elections, may, prior to the adoption of such equipment, acquire 1210
by purchase or lease or by loan, for the experimental use in a 1211
limited number of precincts, such equipment, and such 1212
experimental use shall be valid for all purposes as if such 1213
equipment had been formally adopted, provided that such 1214
equipment has been approved by the board of voting ~~machine-~~ 1215
systems examiners for experimental use. 1216

(C) All equipment acquired by any county by any of the 1217
methods provided for in this section shall be exempt from levy 1218
and taxation. 1219

Sec. 3506.05. (A) As used in this section: 1220

(1) "Electronic pollbook" means an electronic list of registered voters for a particular precinct or polling location that may be transported to a polling location.

(2) Except when used as part of the phrase "tabulating equipment" or "automatic tabulating equipment," "equipment" means a voting machine, marking device, automatic tabulating equipment, software, ~~or an electronic pollbook,~~ a voter registration system, or a ballots on demand voting system.

(3) "Vendor" means the person that owns, manufactures, distributes, or has the legal right to control the use of equipment, or the person's agent.

(B) ~~No voting machine, marking device, automatic tabulating equipment, or software for the purpose of casting or tabulating votes or for communications among systems involved in the tabulation, storage, or casting of votes, and no electronic pollbook,~~ Except as otherwise provided in division (B) of section 3506.16 and in division (B) of section 3506.20 of the Revised Code, none of the following shall be purchased, leased, put in use, or continued to be used, except for experimental use as provided in division (B) of section 3506.04 of the Revised Code, unless it, a manual of procedures governing its use, and training materials, service, and other support arrangements have been certified by the secretary of state and unless the any board of elections of each county where that will use the equipment will be used has assured that a demonstration of the use of the equipment has been made available to all interested electors of the county:

(1) A voting machine;

(2) A marking device;

<u>(3) Automatic tabulating equipment;</u>	1250
<u>(4) Software used for the purpose of casting or tabulating</u>	1251
<u>votes or for communication among systems involved in the</u>	1252
<u>tabulation, storage, or casting of votes;</u>	1253
<u>(5) An electronic pollbook;</u>	1254
<u>(6) A voter registration system;</u>	1255
<u>(7) A ballots on demand voting system. The—</u>	1256
<u>(C) (1) The secretary of state shall appoint a board of</u>	1257
<u>voting machine—systems examiners to examine and approve</u>	1258
<u>equipment and its related manuals and support arrangements. The—</u>	1259
<u>(2) (a) The board shall consist of four voting members, who</u>	1260
<u>shall be appointed as follows:</u>	1261
<u>(1) (i) Two members appointed by the secretary of state—;</u>	1262
<u>(2) (ii) One member appointed by either the speaker of the</u>	1263
<u>house of representatives or the minority leader of the house of</u>	1264
<u>representatives, whichever is a member of the opposite political</u>	1265
<u>party from the one to which the secretary of state belongs—;</u>	1266
<u>(3) (iii) One member appointed by either the president of</u>	1267
<u>the senate or the minority leader of the senate, whichever is a</u>	1268
<u>member of the opposite political party from the one to which the</u>	1269
<u>secretary of state belongs.</u>	1270
<u>(b) The secretary of state also shall appoint a</u>	1271
<u>cybersecurity expert, who shall serve as a nonvoting member of</u>	1272
<u>the board.</u>	1273
<u>(3) In all cases of a tie vote or a disagreement in the</u>	1274
<u>board, if no decision can be arrived at, the board shall submit</u>	1275
<u>the matter in controversy to the secretary of state, who shall</u>	1276

summarily decide the question, and the secretary of state's 1277
decision shall be final. Each member of the board shall be a 1278
competent and experienced election officer or a person who is 1279
knowledgeable about the operation of voting equipment and shall 1280
serve during the secretary of state's term. Any vacancy on the 1281
board shall be filled in the same manner as the original 1282
appointment. The secretary of state shall provide staffing 1283
assistance to the board, at the board's request. 1284

(4) For the member's service, each member of the board 1285
shall receive three hundred dollars per day for each combination 1286
of ~~marking device, tabulating equipment, voting machine, or~~ 1287
~~electronic pollbook~~ examined and reported, but in no event shall 1288
a member receive more than six hundred dollars to examine and 1289
report on any one ~~marking device, item of tabulating equipment,~~ 1290
~~voting machine, or electronic pollbook~~. Each member of the board 1291
shall be reimbursed for expenses the member incurs during an 1292
examination or during the performance of any related duties that 1293
may be required by the secretary of state. Reimbursement of 1294
these expenses shall be made in accordance with, and shall not 1295
exceed, the rates provided for under section 126.31 of the 1296
Revised Code. 1297

(5) Neither the secretary of state nor the board, nor any 1298
public officer who participates in the authorization, 1299
examination, testing, or purchase of equipment, shall have any 1300
pecuniary interest in the equipment or any affiliation with the 1301
vendor. 1302

~~(C) (1)~~ (D) (1) A vendor who desires to have the secretary 1303
of state certify equipment shall first submit the equipment, all 1304
current related procedural manuals, and a current description of 1305
all related support arrangements to the board of voting ~~machine~~ 1306

systems examiners for examination, testing, and approval. The 1307
submission shall be accompanied by a fee of two thousand four 1308
hundred dollars and a detailed explanation of the construction 1309
and method of operation of the equipment, a full statement of 1310
its advantages, and a list of the patents and copyrights used in 1311
~~operations essential to the processes of vote recording and~~ 1312
~~tabulating, vote storage, system security, pollbook storage and~~ 1313
~~security, and other crucial operations of the equipment as may~~ 1314
~~be~~ determined by the board. An additional fee, in an amount to 1315
be set by rules promulgated by the board, may be imposed to pay 1316
for the costs of alternative testing or testing by persons other 1317
than board members, record-keeping, and other extraordinary 1318
costs incurred in the examination process. Moneys not used shall 1319
be returned to the person or entity submitting the equipment for 1320
examination. 1321

(2) Fees collected by the secretary of state under this 1322
section shall be deposited into the state treasury to the credit 1323
of the board of voting ~~machine~~ systems examiners fund, which is 1324
hereby created. All moneys credited to this fund shall be used 1325
solely for the purpose of paying for the services and expenses 1326
of each member of the board or for other expenses incurred 1327
relating to the examination, testing, reporting, or 1328
certification of equipment, the performance of any related 1329
duties as required by the secretary of state, or the 1330
reimbursement of any person submitting an examination fee as 1331
provided in this chapter. 1332

~~(D)~~ (E) Within sixty days after the submission of the 1333
equipment and payment of the fee, or as soon thereafter as is 1334
reasonably practicable, but in any event within not more than 1335
ninety days after the submission and payment, the board of 1336
voting ~~machine~~ systems examiners shall examine the equipment and 1337

file with the secretary of state a written report on the 1338
equipment with its recommendations and, if applicable, its 1339
determination or condition of approval regarding whether the 1340
equipment, manual, and other related materials or arrangements 1341
meet the applicable criteria ~~set forth in sections 3506.07 and~~ 1342
~~3506.10 of the Revised Code~~ and can be safely used by the voters 1343
at elections under the conditions prescribed in Title XXXV of 1344
the Revised Code, or a written statement of reasons for which 1345
testing requires a longer period. The board may grant temporary 1346
approval for the purpose of allowing experimental use of 1347
equipment. If the board finds that the equipment meets ~~any the~~ 1348
~~applicable criteria set forth in sections 3506.06, 3506.07, and~~ 1349
~~3506.10 of the Revised Code~~, can be used safely and, if 1350
applicable, can be depended upon to record and count accurately 1351
and continuously the votes of electors, and has the capacity to 1352
be warranted, maintained, and serviced, it shall approve the 1353
equipment and recommend that the secretary of state certify the 1354
equipment. The secretary of state shall notify all boards of 1355
elections of any such certification. Equipment of the same model 1356
and make, if it operates in an identical manner, may then be 1357
adopted for use ~~at elections~~. 1358

~~(E)~~ (F) The vendor shall notify the secretary of state, 1359
who shall then notify the board of voting ~~machine systems~~ 1360
examiners, of any enhancement and any significant adjustment to 1361
the hardware or software that could result in a patent or 1362
copyright change or that significantly alters the ~~methods of~~ 1363
~~recording voter intent, system security, voter privacy,~~ 1364
~~retention of the vote, communication of records, and connections~~ 1365
~~between the system and other systems~~ crucial operations of the 1366
equipment as determined by the board. The vendor shall provide 1367
the secretary of state with an updated operations manual for the 1368

equipment, and the secretary of state shall forward the manual 1369
to the board. Upon receiving such a notification and manual, the 1370
board may require the vendor to submit the equipment to an 1371
examination and test in order for the equipment to remain 1372
certified. The board or the secretary of state shall 1373
periodically examine, test, and inspect certified equipment to 1374
determine continued compliance with ~~the~~ all applicable 1375
~~requirements of this chapter~~ and the initial certification. Any 1376
examination, test, or inspection conducted for the purpose of 1377
continuing certification of any equipment in which a significant 1378
problem has been uncovered or in which a record of continuing 1379
problems exists shall be performed pursuant to divisions ~~(C)~~ (D) 1380
and ~~(D)~~ (E) of this section, in the same manner as the 1381
examination, test, or inspection is performed for initial 1382
approval and certification. 1383

~~(F)~~ (G) If, at any time after the certification of 1384
equipment, the board of voting ~~machine systems~~ examiners or the 1385
secretary of state is notified by a board of elections of any 1386
significant problem with the equipment or determines that the 1387
equipment fails to meet the requirements necessary for approval 1388
or continued compliance with ~~the~~ all applicable requirements of 1389
~~this chapter~~, or if the board of voting ~~machine systems~~ 1390
examiners determines that there are significant enhancements or 1391
adjustments to the hardware or software, or if notice of such 1392
enhancements or adjustments has not been given as required by 1393
division ~~(E)~~ (F) of this section, the secretary of state shall 1394
notify the users and vendors of that equipment that 1395
certification of the equipment may be withdrawn. 1396

~~(G) (1)~~ (H) (1) The notice given by the secretary of state 1397
under division ~~(F)~~ (G) of this section shall be in writing and 1398
shall specify both of the following: 1399

- (a) The reasons why the certification may be withdrawn; 1400
- (b) The date on which certification will be withdrawn 1401
unless the vendor takes satisfactory corrective measures or 1402
explains why there are no problems with the equipment or why the 1403
enhancements or adjustments to the equipment are not 1404
significant. 1405
- (2) A vendor who receives a notice under division ~~(F)~~(G) 1406
of this section shall, within thirty days after receiving it, 1407
submit to the board of voting ~~machine~~systems examiners in 1408
writing a description of the corrective measures taken and the 1409
date on which they were taken, or the explanation required under 1410
division ~~(G) (1) (b)~~(H) (1) (b) of this section. 1411
- (3) Not later than fifteen days after receiving a written 1412
description or explanation under division ~~(G) (2)~~(H) (2) of this 1413
section from a vendor, the board shall determine whether the 1414
corrective measures taken or the explanation is satisfactory to 1415
allow continued certification of the equipment, and the 1416
secretary of state shall send the vendor a written notice of the 1417
board's determination, specifying the reasons for it. If the 1418
board has determined that the measures taken or the explanation 1419
given is unsatisfactory, the notice shall include the effective 1420
date of withdrawal of the certification. This date may be 1421
different from the date originally specified in division ~~(G) (1)~~
~~(b)~~(H) (1) (b) of this section. 1422
1423
- (4) A vendor who receives a notice under division ~~(G) (3)~~
(H) (3) of this section indicating a decision to withdraw 1424
certification may, within thirty days after receiving it, 1425
request in writing that the board hold a hearing to reconsider 1426
its decision. Any interested party shall be given the 1427
opportunity to submit testimony or documentation in support of 1428
1429

or in opposition to the board's recommendation to withdraw 1430
certification. Failure of the vendor to take appropriate steps 1431
as described in division ~~(G) (1) (b)~~ (H) (1) (b) or to comply with 1432
division ~~(G) (2)~~ (H) (2) of this section results in a waiver of 1433
the vendor's rights under division ~~(G) (4)~~ (H) (4) of this 1434
section. 1435

~~(H) (1)~~ (I) (1) The secretary of state, in consultation with 1436
the board of voting ~~machine systems~~ examiners, shall establish, 1437
by rule, guidelines for the approval, certification, and 1438
continued certification of the ~~voting machines, marking devices,~~ 1439
~~tabulating equipment, and electronic pollbooks~~ to be used under 1440
Title XXXV of the Revised Code. The guidelines shall establish 1441
procedures requiring vendors or computer software developers to 1442
place in escrow with an independent escrow agent approved by the 1443
secretary of state a copy of all source code and related 1444
documentation, together with periodic updates as they become 1445
known or available. The secretary of state shall require that 1446
the documentation include a system configuration and that the 1447
source code include all relevant program statements in low- or 1448
high-level languages. As used in this division, "source code" 1449
does not include variable codes created for specific elections. 1450

(2) Nothing in any rule adopted under division ~~(H)~~ (I) of 1451
this section shall be construed to limit the ability of the 1452
secretary of state to follow or adopt, or to preclude the 1453
secretary of state from following or adopting, any guidelines 1454
proposed by the federal election commission, any entity 1455
authorized by the federal election commission to propose 1456
guidelines, the election assistance commission, or any entity 1457
authorized by the election assistance commission to propose 1458
guidelines. 1459

(3) (a) Before the initial certification of any direct 1460
recording electronic voting machine with a voter verified paper 1461
audit trail, and as a condition for the continued certification 1462
and use of those machines, the secretary of state shall 1463
establish, by rule, standards for the certification of those 1464
machines. Those standards shall include, but are not limited to, 1465
all of the following: 1466

(i) A definition of a voter verified paper audit trail as 1467
a paper record of the voter's choices that is verified by the 1468
voter prior to the casting of the voter's ballot and that is 1469
securely retained by the board of elections; 1470

(ii) Requirements that the voter verified paper audit 1471
trail shall not be retained by any voter and shall not contain 1472
individual voter information; 1473

(iii) A prohibition against the production by any direct 1474
recording electronic voting machine of anything that legally 1475
could be removed by the voter from the polling place, such as a 1476
receipt or voter confirmation; 1477

(iv) A requirement that paper used in producing a voter 1478
verified paper audit trail be sturdy, clean, and resistant to 1479
degradation; 1480

(v) A requirement that the voter verified paper audit 1481
trail shall be capable of being optically scanned for the 1482
purpose of conducting a recount or other audit of the voting 1483
machine and shall be readable in a manner that makes the voter's 1484
ballot choices obvious to the voter without the use of computer 1485
or electronic codes; 1486

(vi) A requirement, for office-type ballots, that the 1487
voter verified paper audit trail include the name of each 1488

candidate selected by the voter; 1489

(vii) A requirement, for questions and issues ballots, 1490
that the voter verified paper audit trail include the title of 1491
the question or issue, the name of the entity that placed the 1492
question or issue on the ballot, and the voter's ballot 1493
selection on that question or issue, but not the entire text of 1494
the question or issue. 1495

(b) The secretary of state, by rule adopted under Chapter 1496
119. of the Revised Code, may waive the requirement under 1497
division ~~(H) (3) (a) (v)~~ (I) (3) (a) (v) of this section, if the 1498
secretary of state determines that the requirement is cost 1499
prohibitive. 1500

(4) (a) Except as otherwise provided in divisions ~~(H) (4) (b)~~ 1501
(I) (4) (b) and (c) of this section, any ~~voting machine, marking~~ 1502
~~device, or automatic tabulating~~ equipment used in this state 1503
shall meet, as a condition of continued certification and use, 1504
the voting system standards adopted by the federal election 1505
commission in 2002 or the voluntary voting system guidelines 1506
most recently adopted by the federal election assistance 1507
commission. ~~A voting machine, marking device, or automatic~~ 1508
~~tabulating equipment~~ Equipment initially certified or acquired 1509
on or after December 1, 2008, also shall have the most recent 1510
federal certification number issued by the election assistance 1511
commission. 1512

(b) Division ~~(H) (4) (a)~~ (I) (4) (a) of this section does not 1513
apply to any ~~voting machine, marking device, or automatic~~ 1514
~~tabulating~~ equipment that the federal election assistance 1515
commission does not certify as part of its testing and 1516
certification program. 1517

(c) A county that acquires additional voting machines, marking devices, or automatic tabulating equipment on or after December 1, 2008, shall not be considered to have acquired those machines, devices, or equipment on or after December 1, 2008, for the purpose of division ~~(H) (4) (a)~~ (I) (4) (a) of this section if all of the following apply:

(i) The voting machines, marking devices, or automatic tabulating equipment acquired are the same as the machines, devices, or equipment currently used in that county.

(ii) The acquisition of the voting machines, marking devices, or automatic tabulating equipment does not replace or change the primary voting system used in that county.

(iii) The acquisition of the voting machines, marking devices, or automatic tabulating equipment is for the purpose of replacing inoperable machines, devices, or equipment or for the purpose of providing additional machines, devices, or equipment required to meet the allocation requirements established pursuant to division (I) of section 3501.11 of the Revised Code.

Sec. 3506.06. No marking device shall be approved by the board of voting ~~machine systems~~ examiners or certified by the secretary of state, or be purchased, rented, or otherwise acquired, or used, unless it fulfills the following requirements:

(A) It shall permit and require voting in absolute secrecy, and shall be so constructed that no person can see or know for whom any other elector has voted or is voting, except an elector who is assisting a voter as prescribed by section 3505.24 of the Revised Code.

(B) It shall permit each elector to vote at any election

for all persons and offices for whom and for which the elector 1547
is lawfully entitled to vote, whether or not the name of any 1548
such person appears on a ballot as a candidate; to vote for as 1549
many persons for an office as the elector is entitled to vote 1550
for; and to vote for or against any question upon which the 1551
elector is entitled to vote. 1552

(C) It shall permit each elector to write in the names of 1553
persons for whom the elector desires to vote, whose names do not 1554
appear upon the ballot, if such write-in candidates are 1555
permitted by law. 1556

(D) It shall permit each elector, at all presidential 1557
elections, by one mark to vote for candidates of one party for 1558
president, vice president, and presidential electors. 1559

(E) It shall be durably constructed of material of good 1560
quality in a neat and workerlike manner, and in form that shall 1561
make it safely transportable. 1562

(F) It shall be so constructed that a voter may readily 1563
learn the method of operating it and may expeditiously cast the 1564
voter's vote for all candidates of the voter's choice. 1565

(G) It shall not provide to a voter any type of receipt or 1566
voter confirmation that the voter legally may retain after 1567
leaving the polling place. 1568

Sec. 3506.07. No automatic tabulating equipment shall be 1569
approved by the board of voting ~~machine~~-systems examiners or 1570
certified by the secretary of state, or be purchased, rented, or 1571
otherwise acquired, or used, unless it has been or is capable of 1572
being manufactured for use and distribution beyond a prototype 1573
and can be set by election officials, to examine ballots and to 1574
count votes accurately for each candidate, question, and issue, 1575

excluding any ballots marked contrary to the instructions 1576
printed on such ballots, provided that such equipment shall not 1577
be required to count write-in votes or the votes on any ballots 1578
that have been voted other than at the regular polling place on 1579
election day. 1580

Sec. 3506.10. No voting machine shall be approved by the 1581
board of voting ~~machine~~-systems examiners or certified by the 1582
secretary of state, or be purchased, rented, or otherwise 1583
acquired, or used, except when specifically allowed for 1584
experimental use, as provided in section 3506.04 of the Revised 1585
Code, unless it fulfills the following requirements: 1586

(A) It shall permit and require voting in absolute 1587
secrecy, and shall be so constructed that no person can see or 1588
know for whom any other elector has voted or is voting, except 1589
an elector who is assisting a voter as prescribed by section 1590
3505.24 of the Revised Code. 1591

(B) It shall permit each elector to vote at any election 1592
for all persons and offices for whom and for which the elector 1593
is lawfully entitled to vote, whether or not the name of any 1594
such person appears on a ballot label as a candidate; to vote 1595
for as many persons for an office as the elector is entitled to 1596
vote for; and to vote for or against any question upon which the 1597
elector is entitled to vote. 1598

(C) It shall preclude each elector from voting for any 1599
candidate or upon any question for whom or upon which the 1600
elector is not entitled to vote, from voting for more persons 1601
for any office than the elector is entitled to vote for, and 1602
from voting for any candidates for the same office or upon any 1603
question more than once. 1604

(D) It shall permit each voter to deposit, write in, or
affix, upon devices provided for that purpose, ballots
containing the names of persons for whom the voter desires to
vote, whose names do not appear upon the voting machine. Those
devices shall be susceptible of identification as to party
affiliations when used at a primary election.

(E) It shall permit each elector to change the elector's
vote for any candidate or upon any question appearing upon the
ballot labels, up to the time the elector starts to register the
elector's vote.

(F) It shall permit each elector, at all presidential
elections, by one device to vote for candidates of one party for
president, vice-president, and presidential electors.

(G) It shall be capable of adjustment by election officers
so as to permit each elector, at a primary election, to vote
only for the candidates of the party with which the elector has
declared the elector's affiliation and shall preclude the
elector from voting for any candidate seeking nomination by any
other political party; and to vote for the candidates for
nonpartisan nomination or election.

(H) It shall have separate voting devices for candidates
and questions, which shall be arranged in separate rows or
columns. It shall be so arranged that one or more adjacent rows
or columns may be assigned to the candidates of each political
party at primary elections.

(I) It shall have a counter, or other device, the register
of which is visible from the outside of the machine, and which
will show at any time during the voting the total number of
electors who have voted; and also a protective counter, or other

device, the register of which cannot be reset, which will record 1634
the cumulative total number of movements of the internal 1635
counters. 1636

(J) It shall be provided with locks and seals by the use 1637
of which, immediately after the polls are closed or the 1638
operation of the machine for an election is completed, no 1639
further changes to the internal counters can be allowed. 1640

(K) It shall have the capacity to contain the names of 1641
candidates constituting the tickets of at least five political 1642
parties, and independent groups and such number of questions not 1643
exceeding fifteen as the secretary of state shall specify. 1644

(L) It shall be durably constructed of material of good 1645
quality in a neat and workerlike manner, and in form that shall 1646
make it safely transportable. 1647

(M) It shall be so constructed that a voter may readily 1648
learn the method of operating it, may expeditiously cast a vote 1649
for all candidates of the voter's choice, and when operated 1650
properly shall register and record correctly and accurately 1651
every vote cast. 1652

(N) It shall be provided with a screen, hood, or curtain, 1653
which will conceal the voter while voting. During the voting, it 1654
shall preclude every person from seeing or knowing the number of 1655
votes registered for any candidate or question and from 1656
tampering with any of the internal counters. 1657

(O) It shall not provide to a voter any type of receipt or 1658
voter confirmation that the voter legally may retain after 1659
leaving the polling place. 1660

(P) On and after the first federal election that occurs 1661
after January 1, 2006, unless required sooner by the Help 1662

America Vote Act of 2002, if the voting machine is a direct 1663
recording electronic voting machine, it shall include a voter 1664
verified paper audit trail. 1665

Before any voting machine is purchased, rented, or 1666
otherwise acquired, or used, the person or corporation owning or 1667
manufacturing that machine or having the legal right to control 1668
the use of that machine shall give an adequate guarantee in 1669
writing and post a bond in an amount sufficient to cover the 1670
cost of any recount or new election resulting from or directly 1671
related to the use or malfunction of the equipment, accompanied 1672
by satisfactory surety, all as determined by the secretary of 1673
state, with the board of county commissioners, guaranteeing and 1674
securing that those machines have been and continue to be 1675
certified by the secretary of state in accordance with section 1676
3506.05 of the Revised Code, comply fully with the requirements 1677
of this section, and will correctly, accurately, and 1678
continuously register and record every vote cast, and further 1679
guaranteeing those machines against defects in workmanship and 1680
materials for a period of five years from the date of their 1681
acquisition. 1682

Sec. 3506.16. (A) The secretary of state shall adopt 1683
standards for the security and integrity of voter registration 1684
systems. Except as otherwise provided in division (B) of this 1685
section, no voter registration system shall be approved by the 1686
board of voting systems examiners, certified by the secretary of 1687
state, or acquired by the secretary of state or a board of 1688
elections, unless it meets those standards. 1689

(B) Notwithstanding any contrary provision of this 1690
chapter, a county that used a voter registration system before 1691
the effective date of this section may continue to use that 1692

system until the county acquires a new voter registration 1693
system, which shall meet the requirements of this chapter. 1694

Sec. 3506.20. (A) ~~As used in this section, "ballots on-~~ 1695
~~demand voting system" means a system that utilizes ballots-~~ 1696
~~printed as needed by election officials at the board of-~~ 1697
~~elections for distribution to electors, either in person or by-~~ 1698
~~mail.~~ 1699

~~(B) No board of elections shall use a~~ (1) The secretary of 1700
state shall adopt standards for the security and integrity of 1701
ballots on demand voting systems. Except as otherwise provided 1702
in division (B) of this section, no ballots on demand voting 1703
system unless shall be approved by the board of voting systems 1704
examiners, certified by the secretary of state, or acquired by 1705
the secretary of state or a board of elections, unless it meets 1706
those standards. 1707

(2) The standards adopted under division (A) (1) of this 1708
section shall do both of the following: 1709

(a) Require that each ballot printed by the system 1710
~~includes~~ include a tracking number; 1711

(b) Require that the board of elections provide ballots 1712
for each precinct in accordance with division (B) of section 1713
3505.11 of the Revised Code. 1714

(B) Notwithstanding any contrary provision of this 1715
chapter, a county that used a ballots on demand voting system 1716
before the effective date of this section may continue to use 1717
that system until the county acquires a new ballots on demand 1718
voting system, which shall meet the requirements of this 1719
chapter. 1720

Sec. 3509.03. (A) Except as otherwise provided in sections 1721

3509.051, 3511.02, and 3511.021 of the Revised Code, any 1722
qualified elector desiring to vote absent voter's ballots at an 1723
election shall deliver a written application for those ballots, 1724
either in person or by mail, to the board of elections of the 1725
county in which the elector's voting residence is located. 1726

(B) Except as otherwise permitted under section 3511.02 of 1727
the Revised Code and under division (C) of this section, the 1728
application shall be on a form prescribed by the secretary of 1729
state and shall contain all of the following: 1730

(1) The elector's name; 1731

(2) The elector's signature; 1732

(3) The address at which the elector is registered to 1733
vote; 1734

(4) The elector's date of birth; 1735

(5) One of the following: 1736

(a) The elector's Ohio driver's license or state 1737
identification card number; 1738

(b) The last four digits of the elector's social security 1739
number; 1740

(c) A copy of the elector's photo identification. 1741

(6) A statement identifying the election for which absent 1742
voter's ballots are requested; 1743

(7) A statement that the person requesting the ballots is 1744
a qualified elector; 1745

(8) If the request is for primary election ballots, the 1746
elector's party affiliation; 1747

(9) If the elector desires ballots to be mailed to the 1748
elector, the address to which those ballots shall be mailed. 1749

(C) If the elector has a confidential voter registration 1750
record, as described in section 111.44 of the Revised Code, the 1751
elector may provide the elector's program participant 1752
identification number instead of the address at which the 1753
elector is registered to vote. 1754

(D) Except as otherwise provided in division (A) of 1755
section 3509.051 and in division (B) of section 3509.08 of the 1756
Revised Code, an application to receive absent voter's ballots 1757
shall be delivered to the office of the board not earlier than 1758
the first day of January of the year of the elections for which 1759
the absent voter's ballots are requested or not earlier than 1760
ninety days before the day of the election at which the ballots 1761
are to be voted, whichever is earlier, and not later than the 1762
close of business on the seventh day before the day of the 1763
election at which the ballots are to be voted. 1764

(E) Except as permitted under section 111.31 of the 1765
Revised Code, no public office, and no public official or 1766
employee who is acting in an official capacity, shall do either 1767
of the following: 1768

(1) Prepay the return postage for an application for 1769
absent voter's ballots; 1770

(2) Mail or otherwise deliver an unsolicited application 1771
for absent voter's ballots to any person. 1772

~~(F)~~ (F) (1) Except as otherwise provided in division (F) (2) 1773
of this section and in sections 3505.24 and 3509.08 of the 1774
Revised Code, ~~an election official~~ no person shall ~~not preprint~~ 1775
or fill out any portion of an application for absent voter's 1776

ballots on behalf of an applicant. ~~The~~ 1777

(2) The secretary of state or a board of elections may 1778
preprint only an applicant's name and address on an application 1779
for absent voter's ballots before mailing that application to 1780
the applicant, except that if the applicant has a confidential 1781
voter registration record, the secretary of state or a board of 1782
elections shall not preprint the applicant's address on the 1783
application. 1784

(3) A completed application for absent voter's ballots is 1785
not valid if any portion of it has been completed by any person 1786
other than the applicant in violation of division (F) of this 1787
section. 1788

Sec. 3511.02. (A) Notwithstanding any section of the 1789
Revised Code to the contrary, whenever any person applies for 1790
registration as a voter on a form adopted in accordance with 1791
federal regulations relating to the "Uniformed and Overseas 1792
Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, 1793
this application shall be sufficient for voter registration and 1794
as a request for an absent voter's ballot. Uniformed services or 1795
overseas absent voter's ballots may be obtained by any person 1796
meeting the requirements of section 3511.011 of the Revised Code 1797
by applying electronically to the secretary of state or to the 1798
board of elections of the county in which the person's voting 1799
residence is located in accordance with section 3511.021 of the 1800
Revised Code or by applying to the board of elections of the 1801
county in which the person's voting residence is located, in one 1802
of the following ways: 1803

(1) That person may make written application for those 1804
ballots. The person may personally deliver the application to 1805
the office of the board or may mail it, send it by facsimile 1806

machine, send it by electronic mail, send it through internet 1807
delivery if such delivery is offered by the board of elections 1808
or the secretary of state, or otherwise send it to the board. 1809
Except as otherwise provided in division (B) of this section, 1810
the application shall be on a form prescribed by the secretary 1811
of state and shall contain all of the following information: 1812

- (a) The elector's name; 1813
- (b) The elector's signature; 1814
- (c) The address at which the elector is registered to 1815
vote; 1816
- (d) The elector's date of birth; 1817
- (e) One of the following: 1818
 - (i) The elector's Ohio driver's license or state 1819
identification card number; 1820
 - (ii) The last four digits of the elector's social security 1821
number; 1822
 - (iii) A copy of the elector's photo identification. 1823
- (f) A statement identifying the election for which absent 1824
voter's ballots are requested; 1825
- (g) A statement that the person requesting the ballots is 1826
a qualified elector; 1827
- (h) A statement that the elector is an absent uniformed 1828
services voter or overseas voter as defined in 52 U.S.C. 20310; 1829
- (i) A statement of the elector's length of residence in 1830
the state immediately preceding the commencement of service, 1831
immediately preceding the date of leaving to be with or near the 1832
service member, or immediately preceding leaving the United 1833

States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, whichever is applicable;

(j) If the request is for primary election ballots, the elector's party affiliation;

(k) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;

(l) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent;

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

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

ballots for each election. 1863

(3) Application to have uniformed services or overseas 1864
absent voter's ballots mailed or sent by facsimile machine to 1865
such a person may be made by the spouse, father, mother, father- 1866
in-law, mother-in-law, grandfather, grandmother, brother or 1867
sister of the whole blood or half blood, son, daughter, adopting 1868
parent, adopted child, stepparent, stepchild, daughter-in-law, 1869
son-in-law, uncle, aunt, nephew, or niece of such a person. The 1870
application shall be in writing upon a blank form furnished only 1871
by the board or on a single federal post card as provided in 1872
division (A) (2) of this section. The form of the application 1873
shall be prescribed by the secretary of state. The board shall 1874
furnish that blank form to any of the relatives specified in 1875
this division desiring to make the application, only upon the 1876
request of such a relative made in person at the office of the 1877
board or upon the written request of such a relative mailed to 1878
the office of the board. Except as otherwise provided in 1879
division (B) of this section, the application, subscribed and 1880
sworn to by the applicant, shall contain all of the following: 1881

(a) The full name of the elector for whom ballots are 1882
requested; 1883

(b) A statement that the elector is an absent uniformed 1884
services voter or overseas voter as defined in 52 U.S.C. 20310; 1885

(c) The address at which the elector is registered to 1886
vote; 1887

(d) A statement identifying the elector's length of 1888
residence in the state immediately preceding the commencement of 1889
service, immediately preceding the date of leaving to be with or 1890
near a service member, or immediately preceding leaving the 1891

United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, as the case may be;	1892 1893 1894 1895
(e) The elector's date of birth;	1896
(f) One of the following:	1897
(i) The elector's Ohio driver's license or state identification card number;	1898 1899
(ii) The last four digits of the elector's social security number;	1900 1901
(iii) A copy of the elector's photo identification.	1902
(g) A statement identifying the election for which absent voter's ballots are requested;	1903 1904
(h) A statement that the person requesting the ballots is a qualified elector;	1905 1906
(i) If the request is for primary election ballots, the elector's party affiliation;	1907 1908
(j) A statement that the applicant bears a relationship to the elector as specified in division (A) (3) of this section;	1909 1910
(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;	1911 1912 1913 1914 1915 1916 1917
(l) The signature and address of the person making the	1918

application. 1919

(B) If the elector has a confidential voter registration 1920
record, as described in section 111.44 of the Revised Code, the 1921
application may include the elector's program participant 1922
identification number instead of the address at which the 1923
elector is registered to vote. 1924

(C) Each application for uniformed services or overseas 1925
absent voter's ballots shall be delivered to the office of the 1926
board not earlier than the first day of January of the year of 1927
the elections for which the uniformed services or overseas 1928
absent voter's ballots are requested or not earlier than ninety 1929
days before the day of the election at which the ballots are to 1930
be voted, whichever is earlier. An application to receive 1931
uniformed services or overseas absent voter's ballots by mail or 1932
by another method permitted under section 3511.021 of the 1933
Revised Code shall be delivered to the office of the board not 1934
later than the close of business on the seventh day preceding 1935
the day of the election. 1936

(D) If the voter for whom the application is made is 1937
entitled to vote for presidential and vice-presidential electors 1938
only, the applicant shall submit to the board, in addition to 1939
the requirements of division (A) of this section, a statement to 1940
the effect that the voter is qualified to vote for presidential 1941
and vice-presidential electors and for no other offices. 1942

(E) Except as permitted under section 111.31 of the 1943
Revised Code, no public office, and no public official or 1944
employee who is acting in an official capacity, shall do either 1945
of the following: 1946

(1) Prepay the return postage for an application for 1947

absent voter's ballots; 1948

(2) Mail or otherwise deliver an unsolicited application 1949
for absent voter's ballots to any person. 1950

~~(F)(1)~~ Except as otherwise provided in divisions (A) (2) 1951
and (3) and (F) (2) of this section and in sections 3505.24 and 1952
3509.08 of the Revised Code, an election official no person 1953
shall ~~not~~ fill out any portion of a federal post card 1954
application or other application for absent voter's ballots on 1955
behalf of an applicant. ~~The~~ 1956

(2) The secretary of state or a board of elections may 1957
preprint only an applicant's name and address on a federal post 1958
card application or other application for absent voter's ballots 1959
before mailing that application to the applicant, except that if 1960
the applicant has a confidential voter registration record, the 1961
secretary of state or the board of elections shall not preprint 1962
the applicant's address on the application. 1963

(3) A completed application for absent voter's ballots is 1964
not valid if any portion of it has been completed by any person 1965
other than the applicant in violation of division (F) of this 1966
section. 1967

Sec. 3519.01. (A) Only one proposal of law or 1968
constitutional amendment to be proposed by initiative petition 1969
shall be contained in an initiative petition to enable the 1970
voters to vote on that proposal separately. A petition shall 1971
include the text of any existing statute or constitutional 1972
provision that would be amended or repealed if the proposed law 1973
or constitutional amendment is adopted. 1974

Whoever seeks to propose a law or constitutional amendment 1975
by initiative petition shall, by a written petition signed by 1976

one thousand qualified electors, submit the proposed law or 1977
constitutional amendment, a title, and a summary of it to the 1978
attorney general for examination. Within ten days after the 1979
receipt of the written petition and the title and summary of it, 1980
the attorney general shall conduct an examination of the title 1981
and summary. If, in the opinion of the attorney general, the 1982
title and summary is a fair and truthful ~~statement~~ 1983
statements of the proposed law or constitutional amendment, the 1984
attorney general shall so certify and then forward the submitted 1985
petition to the Ohio ballot board for its approval under 1986
division (A) of section 3505.062 of the Revised Code. If the 1987
Ohio ballot board returns the submitted petition to the attorney 1988
general with its certification as described in that division, 1989
the attorney general shall then file with the secretary of state 1990
a verified copy of the proposed law or constitutional amendment 1991
together with its title and summary and the attorney general's 1992
certification. 1993

Whenever the Ohio ballot board divides an initiative 1994
petition into individual petitions containing only proposed law 1995
or constitutional amendment under division (A) of section 1996
3505.062 of the Revised Code resulting in the need for the 1997
petitioners to resubmit to the attorney general appropriate 1998
titles and summaries for each of the individual petitions 1999
arising from the board's division of the initiative petition, 2000
the attorney general shall review the resubmitted titles and 2001
summaries, within ten days after their receipt, to determine if 2002
they are ~~a~~ fair and truthful ~~statement~~ statements of the 2003
respective proposed laws or constitutional amendments and, if 2004
so, certify them. These resubmissions shall contain no new 2005
explanations or arguments. Then, the attorney general shall file 2006
with the secretary of state a verified copy of each of the 2007

proposed laws or constitutional amendments together with their
respective titles and summaries and the attorney general's
certification of each.

(B) (1) Whoever seeks to file a referendum petition against
any law, section, or item in any law shall, by a written
petition signed by one thousand qualified electors, submit the
measure to be referred, a title, and a summary of it to the
secretary of state and, on the same day or within one business
day before or after that day, submit a copy of the petition,
measure, title, and summary to the attorney general.

(2) Not later than ten business days after receiving the
petition, measure, title, and summary, the secretary of state
shall do both of the following:

(a) Have the validity of the signatures on the petition
verified;

(b) After comparing the text of the measure to be referred
with the copy of the enrolled act on file in the secretary of
state's office containing the law, section, or item of law,
determine whether the text is correct and, if it is, so certify.

(3) Not later than ten business days after receiving a
copy of the petition, measure, title, and summary, the attorney
general shall examine the title and summary and, if in the
attorney general's opinion, the title and summary ~~is a~~ are fair
and truthful ~~statement~~ statements of the measure to be referred,
so certify.

(C) Any person who is aggrieved by a certification
decision under division (A) or (B) of this section may challenge
the certification or failure to certify of the attorney general
in the supreme court, which shall have exclusive, original

jurisdiction in all challenges of those certification decisions. 2037

(D) An initiative or referendum petition, the summary of 2038
which the attorney general certified under this section before 2039
the effective date of this amendment, is not invalid on the 2040
ground that the attorney general did not certify the title of 2041
the petition in accordance with this section. 2042

Sec. 3519.07. (A) The secretary of state shall post each 2043
of the following on the web site of the office of the secretary 2044
of state: 2045

(1) The full text of each state law or constitutional 2046
amendment proposed by initiative petition that has been approved 2047
for the ballot; 2048

(2) The certified title and summary of each state law or 2049
constitutional amendment proposed by initiative petition that 2050
has been approved for the ballot; 2051

(3) The ballot language of each state law or 2052
constitutional amendment proposed by initiative petition; 2053

(4) The arguments or explanations in favor of or against 2054
each state law or constitutional amendment proposed by 2055
initiative petition that has been approved for the ballot. 2056

(B) When publishing or posting on the web site of the 2057
office of the secretary of state arguments or explanations in 2058
favor of or against any state law or constitutional amendment 2059
proposed by initiative petition that has been approved for the 2060
ballot, the secretary of state shall include the names of the 2061
persons who prepared the argument or explanation. The names of 2062
the persons shall not be considered part of the argument or 2063
explanation for purposes of the prohibition against arguments 2064
and explanations exceeding three hundred words under section 2065

3519.03 of the Revised Code. 2066

Sec. 4507.09. (A) (1) Except as provided in division (B) of 2067
this section, every driver's license issued to a resident of 2068
this state expires on the birthday of the applicant in the 2069
fourth or eighth year after the date it is issued, based on the 2070
period of renewal requested by the applicant. A resident who is 2071
sixty-five years of age or older may only apply for a driver's 2072
license that expires on the birthday of the applicant in the 2073
fourth year after the date it is issued. In no event shall any 2074
license be issued for a period longer than eight years and 2075
ninety days. 2076

Subject to the requirements of section 4507.12 of the 2077
Revised Code, every driver's license issued to a resident is 2078
renewable at any time prior to its expiration. 2079

(2) A driver's license issued to a temporary resident 2080
shall expire in accordance with rules adopted by the registrar 2081
of motor vehicles. A driver's license issued to a temporary 2082
resident is a limited term license, but may be renewed within 2083
ninety days prior to its expiration in accordance with division 2084
(E) of this section. 2085

(3) No refund shall be made or credit given for the 2086
unexpired portion of the driver's license that is renewed. The 2087
registrar shall notify each person whose driver's license has 2088
expired within forty-five days after the date of expiration. 2089
Notification shall be made by regular mail sent to the person's 2090
last known address as shown in the records of the bureau of 2091
motor vehicles. Failure to provide such notification shall not 2092
be construed as a renewal or extension of any license. 2093

(4) For the purposes of this section, the date of birth of 2094

any applicant born on the twenty-ninth day of February shall be 2095
deemed to be the first day of March in any year in which there 2096
is no twenty-ninth day of February. 2097

(B) Every driver's license or renewal of a driver's 2098
license issued to a resident applicant who is sixteen years of 2099
age or older, but less than twenty-one years of age, expires on 2100
the twenty-first birthday of the applicant, except that an 2101
applicant who applies no more than thirty days before the 2102
applicant's twenty-first birthday shall be issued a license in 2103
accordance with division (A) of this section. 2104

(C) Each person licensed as a driver under this chapter 2105
shall notify the registrar of any change in the person's address 2106
within ten days following that change. The notification shall be 2107
in writing on a form provided by the registrar and shall include 2108
the full name, date of birth, license number, county of 2109
residence, social security number, and new address of the 2110
person. The registrar shall offer the person the opportunity to 2111
submit a notice of change of address for voter registration 2112
purposes by electronic means in conjunction with the person's 2113
transaction with the registrar, in accordance with section 2114
3503.11 of the Revised Code. 2115

(D) No driver's license shall be renewed when renewal is 2116
prohibited by division (A) of section 4507.091 of the Revised 2117
Code. 2118

(E) (1) Except as provided in division (E) (2) of this 2119
section, a limited term license shall not be issued to a 2120
temporary resident for a period longer than the expiration date 2121
of the temporary resident's authorized stay in the United 2122
States, or for four years from the date of issuance, whichever 2123
date is earliest. 2124

(2) If there is no expiration date for a temporary
resident's authorized stay in the United States, a limited term
license shall not be issued to the temporary resident for a
period longer than one year from the date of issuance.

(3) A limited term license may be renewed within ninety
days prior to its expiration upon the applicant's presentation
of documentation verifying the applicant's legal presence or
continued temporary lawful status in the United States.

(3) A limited term license is not transferable, and the
applicant may not rely on it to obtain a driver's license in
another state.

(4) In accordance with Chapter 119. of the Revised Code,
the registrar shall adopt rules governing limited term licenses
for temporary residents.

Section 2. That existing sections 3501.05, 3501.38,
3501.381, 3503.09, 3503.11, 3503.14, 3503.19, 3505.062, 3505.11,
3505.24, 3505.331, 3506.01, 3506.04, 3506.05, 3506.06, 3506.07,
3506.10, 3506.20, 3509.03, 3511.02, 3519.01, 3519.07, and
4507.09 of the Revised Code are hereby repealed.

Section 3. A party formation petition or part petition
described in division (A) (1) (b) of section 3517.01 of the
Revised Code that is signed by one or more electors before the
effective date of this section is not invalid on the ground that
the petition or part petition does not meet the requirements of
sections 3501.38 and 3501.381 of the Revised Code, as amended by
this act, so long as the petition or part petition meets the
requirements of those sections that were in effect on the day
before the effective date of this section.

Section 4. Section 3505.24 of the Revised Code is

presented in this act as a composite of the section as amended 2154
by S.B. 10, S.B. 109, and S.B. 205, all of the 130th General 2155
Assembly. The General Assembly, applying the principle stated in 2156
division (B) of section 1.52 of the Revised Code that amendments 2157
are to be harmonized if reasonably capable of simultaneous 2158
operation, finds that the composite is the resulting version of 2159
the section in effect prior to the effective date of the section 2160
as presented in this act. 2161