

AN ACT

To amend 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 and to enact sections 126.41 and 3506.16 of the Revised Code to require state approval of voter registration systems and ballots on demand voting systems for use in Ohio, to limit the circumstances in which a person may fill out an election-related form on behalf of another, to require a post-election audit of every election, to establish a temporary board to make recommendations regarding cybersecurity and fraud prevention efforts across state agencies, to modify the procedures for registering electors through the Bureau of Motor Vehicles, to require the Attorney General to certify the title of a statewide initiative or referendum petition along with its summary, and to modify the requirements for petitions filed by new political parties.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That 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 be amended and sections 126.41 and 3506.16 of the Revised Code be enacted to read as follows:

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

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

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

(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:

(1) One member, who is an employee in the office of the governor, appointed by the

governor;

(2) One member, who is an employee in the office of the attorney general, appointed by the attorney general;

(3) One member, who is an employee in the office of the auditor of state, appointed by the auditor of state;

(4) One member, who is an employee in the office of the secretary of state, appointed by the secretary of state;

(5) One member, who is an employee in the office of the treasurer of state, appointed by the treasurer of state;

(6) The chief information security officer employed under section 125.18 of the Revised Code.

(D) All appointments under division (C) of this section shall be made not later than ninety days after the effective date of this section.

(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.

(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.

(G) The board shall not hold an executive session pursuant to division (G) of section 121.22 of the Revised Code.

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

(A) Appoint all members of boards of elections;

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

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

(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;

(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;

(F) Prescribe the form of registration cards, blanks, and records;

(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;

(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;

(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and

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

(J) Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;

(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;

(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Y) Publish a report on a web site of the office of the secretary of state not later than one

month after the completion of the canvass of the election returns for each primary and general election, identifying, by county, the number of absent voter's ballots cast and the number of those ballots that were counted, and the number of provisional ballots cast and the number of those ballots that were counted, for that election. The secretary of state shall maintain the information on the web site in an archive format for each subsequent election.

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

(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;

(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;

(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.

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

(EE) Perform other duties required by law.

Whenever a primary election is held under section 3513.32 of the Revised Code or a special election is held under section 3521.03 of the Revised Code to fill a vacancy in the office of representative to congress, the secretary of state shall establish a deadline, notwithstanding any other deadline required under the Revised Code, by which any or all of the following shall occur: the filing of a declaration of candidacy and petitions or a statement of candidacy and nominating petition together with the applicable filing fee; the filing of protests against the candidacy of any person filing a declaration of candidacy or nominating petition; the filing of a declaration of intent to be a write-in candidate; the filing of campaign finance reports; the preparation of, and the making of corrections or challenges to, precinct voter registration lists; the receipt of applications for absent voter's ballots or uniformed services or overseas absent voter's ballots; the supplying of election materials to precincts by boards of elections; the holding of hearings by boards of elections to

consider challenges to the right of a person to appear on a voter registration list; and the scheduling of programs to instruct or reinstruct election officers.

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

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

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

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

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

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

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

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

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

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

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

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

(b) No petition presented to or filed with the secretary of state, a board of elections, or any other public office for the purpose of the holding of an election on any question or issue may be resubmitted after it is withdrawn from a public office or rejected as containing insufficient signatures. Nothing in this division prevents a question or issue petition from being withdrawn by

the filing of a written notice of the withdrawal by a majority of the members of the petitioning committee with the same public office with which the petition was filed prior to the sixtieth day before the election at which the question or issue is scheduled to appear on the ballot.

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

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

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

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

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

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

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

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

Sec. 3501.381. (A)(1) Any person who will receive compensation for supervising, managing, or otherwise organizing any effort to obtain signatures for a declaration of candidacy, nominating petition, or declaration of intent to be a write-in candidate for a person seeking to become a statewide candidate ~~or~~ for a statewide initiative petition or a statewide referendum petition, or for a party formation petition described in division (A)(1)(b) of section 3517.01 of the Revised Code shall file a statement to that effect with the office of the secretary of state before any signatures are obtained for the petition or before the person is engaged to supervise, manage, or otherwise organize the effort to obtain signatures for the petition, whichever is later.

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

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

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

(D) As used in this section, "statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, or attorney general.

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

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

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

(1) Prohibit any direct electronic connection between a designated agency, ~~office of deputy registrar of motor vehicles,~~ public high school or vocational school, public library, or office of a

county treasurer and the statewide voter registration database;

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

(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 section, the registrar or deputy registrar shall electronically transmit the person's signature that is on file with the bureau of motor vehicles with the electronic record of the voter registration or update, and that signature shall be considered the person's signature on the voter registration or update and for all other election and signature-matching purposes.

(B) Within twenty-four hours after a person registers to vote or updates the person's voter registration under division (A) of this section, the registrar or deputy registrar shall send any registration application or any change of residence or change of name form that was completed and submitted in paper form to the deputy registrar to the board of elections of the county in which the office of the deputy registrar is located, within five days after accepting the application or other form. The registrar shall send any completed registration application received at the bureau of motor vehicles headquarters location and any completed change of residence or change of name form processed electronically in systems or programs operated and maintained by the bureau of motor vehicles to the secretary of state within five days after accepting the application or other form. ~~transmit the electronic record of the voter registration or update to the secretary of state by~~

electronic means in a manner prescribed by the secretary of state by rule. Rules adopted under this division shall do all of the following:

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

(2) Require any voter registration information to be verified by the secretary of state or a board of elections before the information is added to the statewide voter registration database;

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

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

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

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

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

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

- (1) The voter's name;
- (2) The voter's address;
- (3) The current date;
- (4) The voter's date of birth;

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

- (a) The voter's Ohio driver's license or state identification card number;
- (b) The last four digits of the voter's social security number.
- (6) The voter's signature.

The registration form shall include a space on which the person registering an applicant shall sign the person's name and provide the person's address and a space on which the person registering an applicant shall name the employer who is employing that person to register the applicant.

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

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

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

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;
- (7) An employee of a public library;
- (8) An employee of the office of a county treasurer;
- (9) An employee of the bureau of motor vehicles;
- (10) An employee of a deputy registrar of motor vehicles;
- (11) An employee of an election official.

(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the

applicant desired to register to vote or to change the applicant's name or residence.

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

(E) A voter registration application submitted 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 under division (A)(3) of section 3503.11 or under division (B) of that section 3503.20 of the Revised Code, as applicable, shall be considered the applicant's signature for all election and signature-matching purposes.

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

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

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

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

Any state or local office of a designated agency, ~~the office of the registrar or any deputy registrar of motor vehicles,~~ a public high school or vocational school, a public library, or the office of a county treasurer shall transmit any voter registration application or change of registration form that it receives to the board of elections of the county in which the state or local office is located, within five days after receiving the voter registration application or change of registration form. The office of the registrar or any deputy registrar of motor vehicles shall transmit any electronic voter registration application or change of registration that it receives to the secretary of state within twenty-four hours after receiving it, and shall transmit any paper voter registration application or change of registration form that it receives to the board of elections of the county in which the office of the registrar or deputy registrar is located within five days after receiving the voter registration

application or change of registration form, as required under section 3503.11 of the Revised Code.

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

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

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

(B)(1) Any person may apply in person, by telephone, by mail, or through another person for voter registration forms to the office of the secretary of state or the office of a board of elections. An individual 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 apply for voter registration forms by electronic means 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.

(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 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 thirty days after that election.

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

- (a) The applicant's registration;
- (b) The precinct in which the applicant is to vote;
- (c) In bold type as follows:

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

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

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

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

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

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

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

(A) Examine, within ten days after its receipt, each written initiative petition received from the attorney general under section 3519.01 of the Revised Code to determine whether it contains only one proposed law or constitutional amendment so as to enable the voters to vote on a proposal separately. If the board so determines, it shall certify its approval to the attorney general, who then shall file with the secretary of state in accordance with division (A) of section 3519.01 of the Revised Code a verified copy of the proposed law or constitutional amendment together with its title and summary and the attorney general's certification of ~~it~~ the title and summary.

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

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

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

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

(E) Prepare, or designate a group of persons to prepare, arguments in support of or in opposition to a constitutional amendment proposed by a resolution of the general assembly, a constitutional amendment or state law proposed by initiative petition, or a state law, or section or item of state law, subject to a referendum petition, if the persons otherwise responsible for the preparation of those arguments fail to timely prepare and file them;

(F) Direct the means by which the secretary of state shall disseminate information concerning proposed constitutional amendments, proposed laws, and referenda to the voters;

(G) Direct the secretary of state to contract for the publication in a newspaper of general circulation in each county in the state of the ballot language, explanations, and arguments regarding each of the following:

(1) A constitutional amendment or law proposed by initiative petition under Section 1g of Article II of the Ohio Constitution;

(2) A law, section, or item of law submitted to the electors by referendum petition under Section 1g of Article II of the Ohio Constitution;

(3) A constitutional amendment submitted to the electors by the general assembly under Section 1 of Article XVI of the Ohio Constitution.

Sec. 3505.11. (A) The ballots, with the stubs attached, shall be bound into tablets for each precinct, which tablets shall contain at least one per cent more ballots than the total registration in the precinct, except as otherwise provided in division (B) of this section. Upon the covers of the tablets shall be written, printed, or stamped the designation of the precinct for which the ballots have been prepared. All official ballots shall be printed uniformly upon the same kind and quality of paper and shall be of the same shape, size, and type.

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

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

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

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

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

(2) If, after the board complies with the requirements of division (B)(1) of this section, the election officials of a precinct determine that the precinct will not have enough ballots to enable all the qualified electors in the precinct who wish to vote at a particular election to do so, the officials shall request that the board provide additional ballots, and the board shall provide enough additional ballots, to that precinct in a timely manner so that all qualified electors in that precinct who wish to vote at that election may do so.

Sec. 3505.24. ~~(A)~~ Notwithstanding any provision of the Revised Code to the contrary, any elector who does both of the following declares that the elector, by reason of blindness, disability, or illiteracy, is unable to complete a voter registration, change of residence, or change of name form, to mark a ballot, to complete an application for absent voter's ballots or an identification envelope statement of voter, to complete a provisional ballot affirmation, or to complete any other form prescribed under Title XXXV of the Revised Code may be accompanied in the voting booth and receive assistance in doing so under division (B) of this section. An election official may require an

elector to make a declaration of inability under oath before the election official in order for the elector to receive assistance when voting or casting absent voter's ballots in person.

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

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

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

(b) An agent of the elector's employer, ~~or an~~;

(c) An officer or agent of the elector's union, ~~if any~~;

~~(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~~

~~(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;~~

(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.

(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~~

(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.

~~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.~~

Sec. 3505.331. (A) After declaring the official results of ~~a general~~ any election ~~or of a primary election held in an even-numbered year~~, as described in section 3505.33 of the Revised Code, the board of elections shall audit those results in accordance with this section. Except as otherwise provided in this division, the board shall begin the audit not earlier than six days after it declares the official results and shall complete the audit not later than the twenty-first day after it declares the official results. If the board conducts a recount, the board shall begin the audit immediately after the board certifies the results of the recount and shall complete the audit not later than the fourteenth day after it certifies the results of the recount.

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

(1)(a) Except as otherwise provided in division (B)(1)(b) of this section, a requirement that the board audit not less than three contested races, questions, or issues, as directed by the secretary of state. If fewer than three contested races, questions, or issues appear on the ballot at the election,

then the board shall audit every contested race, question, and issue. In any election, every contested race, question, or issue shall be eligible to be audited.

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

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

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

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

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

(ii) If the accuracy rate for an audited race, question, or issue is less than the acceptable accuracy rate prescribed by the secretary of state, the board shall escalate the audit of that race, question, or issue by requiring bipartisan teams of election officials to physically examine and hand count a second set of randomly sampled ballots equal to a given percentage of the total number of ballots cast in the county at that election, as prescribed by the secretary of state. The second set of ballots shall not include any ballots that were included in the first set of audited ballots. After the election officials have counted the second set of ballots, the board shall calculate the combined accuracy rate for both audited sets of ballots for that race, question, or issue.

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

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

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

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

(2) If the board conducted a percentage-based audit and was required to escalate the audit of a race, question, or issue under division (B)(3)(b)(ii) of this section, and the combined accuracy rate for that race, question, or issue is less than the acceptable combined accuracy rate prescribed by the secretary of state, the secretary of state may require the board to order bipartisan teams of election officials to physically examine and hand count all ballots cast for that race, question, or issue. The requirements of division (C) of this section apply to any full hand count conducted under this division.

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

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

(F) As used in this section:

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

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

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

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

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

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

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

(E) "Voting machines" means mechanical or electronic equipment for the direct recording

and tabulation of votes.

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

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

(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 election precinct with voting machines or marking devices for use at the next election following the adoption of such equipment, as many shall be supplied for that election and the succeeding elections as it is practicable to procure either by purchase or lease, or by a combination of both, and such equipment may be used in election precincts within the county as the board of elections directs until such time as it is practicable to provide the total number of voting machines or marking devices necessary to supply all precincts within the county, provided that the total number of voting machines or marking devices necessary to supply all precincts shall be procured by purchase or lease, or by a combination of both as soon as

practicable after their adoption.

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

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

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

(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;

(3) Automatic tabulating equipment;

(4) Software used for the purpose of casting or tabulating votes or for communication among systems involved in the tabulation, storage, or casting of votes;

(5) An electronic pollbook;

(6) A voter registration system;

(7) A ballots on demand voting system. The-

~~(C)(1)~~ The secretary of state shall appoint a board of voting ~~machine-systems~~ examiners to examine and approve equipment and its related manuals and support arrangements. ~~The~~

~~(2)(a)~~ The board shall consist of four voting members, who shall be appointed as follows:

~~(1)(i)~~ Two members appointed by the secretary of state;

~~(2)(ii)~~ One member appointed by either the speaker of the house of representatives or the minority leader of the house of representatives, whichever is a member of the opposite political party from the one to which the secretary of state belongs;

~~(3)(iii)~~ One member appointed by either the president of the senate or the minority leader of the senate, whichever is a member of the opposite political party from the one to which the secretary of state belongs.

(b) The secretary of state also shall appoint a cybersecurity expert, who shall serve as a nonvoting member of the board.

(3) In all cases of a tie vote or a disagreement in the board, if no decision can be arrived at, the board shall submit the matter in controversy to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final. Each member of the board shall be a competent and experienced election officer or a person who is knowledgeable about the operation of voting equipment and shall serve during the secretary of state's term. Any vacancy on the board shall be filled in the same manner as the original appointment. The secretary of state shall provide staffing assistance to the board, at the board's request.

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

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

~~(C)(1)~~ (D)(1) A vendor who desires to have the secretary of state certify equipment shall first submit the equipment, all current related procedural manuals, and a current description of all related support arrangements to the board of voting ~~machine-systems~~ examiners for examination, testing, and approval. The submission shall be accompanied by a fee of two thousand four hundred dollars and a detailed explanation of the construction and method of operation of the equipment, a full statement of its advantages, and a list of the patents and copyrights used in ~~operations essential to the processes of vote recording and tabulating, vote storage, system security, pollbook storage and security, and other crucial operations of the equipment as may be determined by the board.~~ An

additional fee, in an amount to be set by rules promulgated by the board, may be imposed to pay for the costs of alternative testing or testing by persons other than board members, record-keeping, and other extraordinary costs incurred in the examination process. Moneys not used shall be returned to the person or entity submitting the equipment for examination.

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

~~(D)~~ (E) Within sixty days after the submission of the equipment and payment of the fee, or as soon thereafter as is reasonably practicable, but in any event within not more than ninety days after the submission and payment, the board of voting ~~machine-systems~~ examiners shall examine the equipment and file with the secretary of state a written report on the equipment with its recommendations and, if applicable, its determination or condition of approval regarding whether the equipment, manual, and other related materials or arrangements meet the applicable criteria set forth in sections 3506.07 and 3506.10 of the Revised Code and can be safely used by the voters at elections under the conditions prescribed in Title XXXV of the Revised Code, or a written statement of reasons for which testing requires a longer period. The board may grant temporary approval for the purpose of allowing experimental use of equipment. If the board finds that the equipment meets ~~any the applicable criteria set forth in sections 3506.06, 3506.07, and 3506.10 of the Revised Code~~, can be used safely and, if applicable, can be depended upon to record and count accurately and continuously the votes of electors, and has the capacity to be warranted, maintained, and serviced, it shall approve the equipment and recommend that the secretary of state certify the equipment. The secretary of state shall notify all boards of elections of any such certification. Equipment of the same model and make, if it operates in an identical manner, may then be adopted for use ~~at elections~~.

~~(E)~~ (F) The vendor shall notify the secretary of state, who shall then notify the board of voting ~~machine-systems~~ examiners, of any enhancement and any significant adjustment to the hardware or software that could result in a patent or copyright change or that significantly alters the ~~methods of recording voter intent, system security, voter privacy, retention of the vote, communication of records, and connections between the system and other systems~~ crucial operations of the equipment as determined by the board. The vendor shall provide the secretary of state with an updated operations manual for the equipment, and the secretary of state shall forward the manual to the board. Upon receiving such a notification and manual, the board may require the vendor to submit the equipment to an examination and test in order for the equipment to remain certified. The board or the secretary of state shall periodically examine, test, and inspect certified equipment to determine continued compliance with ~~the all applicable requirements of this chapter~~ and the initial

certification. Any examination, test, or inspection conducted for the purpose of continuing certification of any equipment in which a significant problem has been uncovered or in which a record of continuing problems exists shall be performed pursuant to divisions ~~(C)~~(D) and ~~(D)~~(E) of this section, in the same manner as the examination, test, or inspection is performed for initial approval and certification.

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

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

- (a) The reasons why the certification may be withdrawn;
- (b) The date on which certification will be withdrawn unless the vendor takes satisfactory corrective measures or explains why there are no problems with the equipment or why the enhancements or adjustments to the equipment are not significant.

(2) A vendor who receives a notice under division ~~(F)~~(G) of this section shall, within thirty days after receiving it, submit to the board of voting ~~machine systems~~ examiners in writing a description of the corrective measures taken and the date on which they were taken, or the explanation required under division ~~(G)(1)(b)~~(H)(1)(b) of this section.

(3) Not later than fifteen days after receiving a written description or explanation under division ~~(G)(2)~~(H)(2) of this section from a vendor, the board shall determine whether the corrective measures taken or the explanation is satisfactory to allow continued certification of the equipment, and the secretary of state shall send the vendor a written notice of the board's determination, specifying the reasons for it. If the board has determined that the measures taken or the explanation given is unsatisfactory, the notice shall include the effective date of withdrawal of the certification. This date may be different from the date originally specified in division ~~(G)(1)(b)~~(H)(1)(b) of this section.

(4) A vendor who receives a notice under division ~~(G)(3)~~(H)(3) of this section indicating a decision to withdraw certification may, within thirty days after receiving it, request in writing that the board hold a hearing to reconsider its decision. Any interested party shall be given the opportunity to submit testimony or documentation in support of or in opposition to the board's recommendation to withdraw certification. Failure of the vendor to take appropriate steps as described in division ~~(G)(1)(b)~~(H)(1)(b) or to comply with division ~~(G)(2)~~(H)(2) of this section

results in a waiver of the vendor's rights under division ~~(G)(4)~~ ~~(H)(4)~~ of this section.

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

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

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

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

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

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

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

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

(vi) A requirement, for office-type ballots, that the voter verified paper audit trail include the name of each candidate selected by the voter;

(vii) A requirement, for questions and issues ballots, that the voter verified paper audit trail include the title of the question or issue, the name of the entity that placed the question or issue on

the ballot, and the voter's ballot selection on that question or issue, but not the entire text of the question or issue.

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

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

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

(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 is lawfully entitled to vote, whether or not the name of any such person appears on a ballot as a candidate; to vote for as many persons for an office as the elector is entitled to vote for; and to vote for or against any question upon which the elector is entitled to vote.

(C) It shall permit each elector to write in the names of persons for whom the elector desires

to vote, whose names do not appear upon the ballot, if such write-in candidates are permitted by law.

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

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

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

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

Sec. 3506.07. No automatic tabulating equipment 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 has been or is capable of being manufactured for use and distribution beyond a prototype and can be set by election officials, to examine ballots and to count votes accurately for each candidate, question, and issue, excluding any ballots marked contrary to the instructions printed on such ballots, provided that such equipment shall not be required to count write-in votes or the votes on any ballots that have been voted other than at the regular polling place on election day.

Sec. 3506.10. No voting machine 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, except when specifically allowed for experimental use, as provided in section 3506.04 of the Revised Code, 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 is lawfully entitled to vote, whether or not the name of any such person appears on a ballot label as a candidate; to vote for as many persons for an office as the elector is entitled to vote for; and to vote for or against any question upon which the elector is entitled to vote.

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

(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 the cumulative total number of movements of the internal counters.

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

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

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

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

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

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

(P) On and after the first federal election that occurs after January 1, 2006, unless required sooner by the Help America Vote Act of 2002, if the voting machine is a direct recording electronic voting machine, it shall include a voter verified paper audit trail.

Before any voting machine is purchased, rented, or otherwise acquired, or used, the person or corporation owning or manufacturing that machine or having the legal right to control the use of that machine shall give an adequate guarantee in writing and post a bond in an amount sufficient to cover the cost of any recount or new election resulting from or directly related to the use or malfunction of the equipment, accompanied by satisfactory surety, all as determined by the secretary

of state, with the board of county commissioners, guaranteeing and securing that those machines have been and continue to be certified by the secretary of state in accordance with section 3506.05 of the Revised Code, comply fully with the requirements of this section, and will correctly, accurately, and continuously register and record every vote cast, and further guaranteeing those machines against defects in workmanship and materials for a period of five years from the date of their acquisition.

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

(B) Notwithstanding any contrary provision of this chapter, a county that used a voter registration system before the effective date of this section may continue to use that system until the county acquires a new voter registration system, which shall meet the requirements of this chapter.

~~Sec. 3506.20. (A) As used in this section, "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.~~

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

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

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

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

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

Sec. 3509.03. (A) Except as otherwise provided in sections 3509.051, 3511.02, and 3511.021 of the Revised Code, any qualified elector desiring to vote absent voter's ballots at an election shall deliver a written application for those ballots, either in person or by mail, to the board of elections of the county in which the elector's voting residence is located.

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

- (1) The elector's name;
- (2) The elector's signature;
- (3) The address at which the elector is registered to vote;
- (4) The elector's date of birth;
- (5) One of the following:
 - (a) The elector's Ohio driver's license or state identification card number;
 - (b) The last four digits of the elector's social security number;
 - (c) A copy of the elector's photo identification.
- (6) A statement identifying the election for which absent voter's ballots are requested;
- (7) A statement that the person requesting the ballots is a qualified elector;
- (8) If the request is for primary election ballots, the elector's party affiliation;
- (9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.

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

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

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

- (1) Prepay the return postage for an application for absent voter's ballots;
- (2) Mail or otherwise deliver an unsolicited application for absent voter's ballots to any person.

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

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

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

Sec. 3511.02. (A) Notwithstanding any section of the Revised Code to the contrary,

whenever any person applies for registration as a voter on a form adopted in accordance with federal regulations relating to the "Uniformed and Overseas Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, this application shall be sufficient for voter registration and as a request for an absent voter's ballot. Uniformed services or overseas absent voter's ballots may be obtained by any person meeting the requirements of section 3511.011 of the Revised Code by applying electronically to the secretary of state or to the board of elections of the county in which the person's voting residence is located in accordance with section 3511.021 of the Revised Code or by applying to the board of elections of the county in which the person's voting residence is located, in one of the following ways:

(1) That person may make written application for those ballots. The person may personally deliver the application to the office of the board or may mail it, send it by facsimile machine, send it by electronic mail, send it through internet delivery if such delivery is offered by the board of elections or the secretary of state, or otherwise send it to the board. Except as otherwise provided in division (B) of this section, the application shall be on a form prescribed by the secretary of state and shall contain all of the following information:

- (a) The elector's name;
- (b) The elector's signature;
- (c) The address at which the elector is registered to vote;
- (d) The elector's date of birth;
- (e) One of the following:
 - (i) The elector's Ohio driver's license or state identification card number;
 - (ii) The last four digits of the elector's social security number;
 - (iii) A copy of the elector's photo identification.
- (f) A statement identifying the election for which absent voter's ballots are requested;
- (g) A statement that the person requesting the ballots is a qualified elector;
- (h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 52 U.S.C. 20310;
- (i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, whichever is applicable;
- (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.

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

- (a) The full name of the elector for whom ballots are requested;
- (b) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 52 U.S.C. 20310;
- (c) The address at which the elector is registered to vote;
- (d) A statement identifying the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near a service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, as the case may be;
- (e) The elector's date of birth;
- (f) One of the following:
 - (i) The elector's Ohio driver's license or state identification card number;
 - (ii) The last four digits of the elector's social security number;
 - (iii) A copy of the elector's photo identification.
- (g) A statement identifying the election for which absent voter's ballots are requested;

(h) A statement that the person requesting the ballots is a qualified elector;
 (i) If the request is for primary election ballots, the elector's party affiliation;
 (j) A statement that the applicant bears a relationship to the elector as specified in division (A)(3) of this section;

(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;

(l) The signature and address of the person making the application.

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

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

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

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

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

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

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

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

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

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

Whoever seeks to propose a law or constitutional amendment by initiative petition shall, by a written petition signed by one thousand qualified electors, submit the proposed law or constitutional amendment, a title, and a summary of it to the attorney general for examination. Within ten days after the receipt of the written petition and the title and summary of it, the attorney general shall conduct an examination of the title and summary. If, in the opinion of the attorney general, the title and summary ~~is a~~ are fair and truthful ~~statement~~ statements of the proposed law or constitutional amendment, the attorney general shall so certify and then forward the submitted petition to the Ohio ballot board for its approval under division (A) of section 3505.062 of the Revised Code. If the Ohio ballot board returns the submitted petition to the attorney general with its certification as described in that division, the attorney general shall then file with the secretary of state a verified copy of the proposed law or constitutional amendment together with its title and summary and the attorney general's certification.

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

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

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

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

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

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

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

(B) When publishing or posting on the web site of the office of the secretary of state arguments or explanations in favor of or against any state law or constitutional amendment proposed by initiative petition that has been approved for the ballot, the secretary of state shall include the names of the persons who prepared the argument or explanation. The names of the persons shall not be considered part of the argument or explanation for purposes of the prohibition against arguments and explanations exceeding three hundred words under section 3519.03 of the Revised Code.

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

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

(2) A driver's license issued to a temporary resident shall expire in accordance with rules

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

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

(4) For the purposes of this section, the date of birth of any applicant born on the twenty-ninth day of February shall be deemed to be the first day of March in any year in which there is no twenty-ninth day of February.

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

(C) Each person licensed as a driver under this chapter shall notify the registrar of any change in the person's address within ten days following that change. The notification shall be in writing on a form provided by the registrar and shall include the full name, date of birth, license number, county of residence, social security number, and new address of the person. The registrar shall offer the person 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 accordance with section 3503.11 of the Revised Code.

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

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

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

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. H. B. No. 74

135th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____