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H. B. No. 320

Representatives Lear, Click

Cosponsors: Representatives Gross, Bird, Dean, Ritter, Workman, Mullins, Fischer, Creech, King, Willis, Williams, Richardson, Ferguson, Teska, Claggett, Barhorst, Hall, T., Miller, M., Mathews, A.

To amend sections 3501.01, 3503.09, 3503.10, 1
3503.11, 3503.14, 3503.15, 3503.151, 3503.152, 2
3503.153, 3503.16, 3503.19, 3503.20, 3503.23, 3
3503.28, 3505.181, 3509.02, 3509.04, 3509.07, 4
3509.08, 3513.041, 3513.05, 3513.07, 3513.18, 5
3513.19, 3513.191, 3513.257, 3517.012, 3517.013, 6
and 3599.12; to enact section 3503.071; and to 7
repeal sections 3513.192 and 3513.20 of the 8
Revised Code to require an elector to register 9
as a member of a political party in order to 10
participate in that party's primary election. 11

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

Section 1. That sections 3501.01, 3503.09, 3503.10, 12
3503.11, 3503.14, 3503.15, 3503.151, 3503.152, 3503.153, 13
3503.16, 3503.19, 3503.20, 3503.23, 3503.28, 3505.181, 3509.02, 14
3509.04, 3509.07, 3509.08, 3513.041, 3513.05, 3513.07, 3513.18, 15
3513.19, 3513.191, 3513.257, 3517.012, 3517.013, and 3599.12 be 16
amended and section 3503.071 of the Revised Code be enacted to 17
read as follows: 18

Sec. 3501.01. As used in the sections of the Revised Code	19
relating to elections and political communications:	20
(A) "General election" means the election held on the	21
first Tuesday after the first Monday in each November.	22
(B) "Regular municipal election" means the election held	23
on the first Tuesday after the first Monday in November in each	24
odd-numbered year.	25
(C) "Regular state election" means the election held on	26
the first Tuesday after the first Monday in November in each	27
even-numbered year.	28
(D) "Special election" means any election other than those	29
elections defined in other divisions of this section. A special	30
election may be held only on the first Tuesday after the first	31
Monday in May or November, on the first Tuesday after the first	32
Monday in August in accordance with section 3501.022 of the	33
Revised Code, or on the day authorized by a particular municipal	34
or county charter for the holding of a primary election, except	35
that in any year in which a presidential primary election is	36
held, no special election shall be held in May, except as	37
authorized by a municipal or county charter, but may be held on	38
the third Tuesday after the first Monday in March.	39
(E) (1) "Primary" or "primary election" means an election	40
held for the purpose of nominating persons as candidates of	41
political parties for election to offices, and for the purpose	42
of electing persons as members of the controlling committees of	43
political parties and as delegates and alternates to the	44
conventions of political parties. Primary elections shall be	45
held on the first Tuesday after the first Monday in May of each	46
year except in years in which a presidential primary election is	47

held. 48

(2) "Presidential primary election" means a primary 49
election as defined by division (E)(1) of this section at which 50
an election is held for the purpose of choosing delegates and 51
alternates to the national conventions of the major political 52
parties pursuant to section 3513.12 of the Revised Code. Unless 53
otherwise specified, presidential primary elections are included 54
in references to primary elections. In years in which a 55
presidential primary election is held, all primary elections 56
shall be held on the third Tuesday after the first Monday in 57
March except as otherwise authorized by a municipal or county 58
charter. 59

(F) "Political party" means any group of voters meeting 60
the requirements set forth in section 3517.01 of the Revised 61
Code for the formation and existence of a political party. 62

(1) "Major political party" means any political party 63
organized under the laws of this state whose candidate for 64
governor or nominees for presidential electors received not less 65
than twenty per cent of the total vote cast for such office at 66
the most recent regular state election. 67

(2) "Minor political party" means any political party 68
organized under the laws of this state that meets either of the 69
following requirements: 70

(a) Except as otherwise provided in this division, the 71
political party's candidate for governor or nominees for 72
presidential electors received less than twenty per cent but not 73
less than three per cent of the total vote cast for such office 74
at the most recent regular state election. A political party 75
that meets the requirements of this division remains a political 76

party for a period of four years after meeting those 77
requirements. 78

(b) The political party has filed with the secretary of 79
state, subsequent to its failure to meet the requirements of 80
division (F)(2)(a) of this section, a petition that meets the 81
requirements of section 3517.01 of the Revised Code. 82

A newly formed political party shall be known as a minor 83
political party until the time of the first election for 84
governor or president which occurs not less than twelve months 85
subsequent to the formation of such party, after which election 86
the status of such party shall be determined by the vote for the 87
office of governor or president. 88

(G) "Dominant party in a precinct" or "dominant political 89
party in a precinct" means that political party whose candidate 90
for election to the office of governor at the most recent 91
regular state election at which a governor was elected received 92
more votes than any other person received for election to that 93
office in such precinct at such election. 94

(H) "Candidate" means any qualified person certified in 95
accordance with the provisions of the Revised Code for placement 96
on the official ballot of a primary, general, or special 97
election to be held in this state, or any qualified person who 98
claims to be a write-in candidate, or who knowingly assents to 99
being represented as a write-in candidate by another at either a 100
primary, general, or special election to be held in this state. 101

(I) "Independent candidate" means any candidate who ~~claims~~ 102
is not to be affiliated with a political party, and whose name 103
has been certified on the office-type ballot at a general or 104
special election through the filing of a statement of candidacy 105

and nominating petition, as prescribed in section 3513.257 of 106
the Revised Code. 107

(J) "Nonpartisan candidate" means any candidate whose name 108
is required, pursuant to section 3505.04 of the Revised Code, to 109
be listed on the nonpartisan ballot, including all candidates 110
for judge of a municipal court, county court, or court of common 111
pleas, for member of any board of education, for municipal or 112
township offices in which primary elections are not held for 113
nominating candidates by political parties, and for offices of 114
municipal corporations having charters that provide for separate 115
ballots for elections for these offices. 116

(K) "Party candidate" means any candidate who ~~claims to be~~ 117
~~a member of~~ is affiliated with a political party and who has 118
been certified to appear on the office-type ballot at a general 119
or special election as the nominee of a political party because 120
the candidate has won the primary election of the candidate's 121
party for the public office the candidate seeks, has been 122
nominated under section 3517.012, or is selected by party 123
committee in accordance with section 3513.31 of the Revised 124
Code. 125

(L) "Officer of a political party" includes, but is not 126
limited to, any member, elected or appointed, of a controlling 127
committee, whether representing the territory of the state, a 128
district therein, a county, township, a city, a ward, a 129
precinct, or other territory, of a major or minor political 130
party. 131

(M) "Question or issue" means any question or issue 132
certified in accordance with the Revised Code for placement on 133
an official ballot at a general or special election to be held 134
in this state. 135

(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	136 137
(O) "Voter" means an elector who votes at an election.	138
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	139 140 141
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	142 143 144 145
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	146 147 148
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	149 150 151
(T) "Political subdivision" means a county, township, city, village, or school district.	152 153
(U) "Election officer" or "election official" means any of the following:	154 155
(1) Secretary of state;	156
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	157 158 159 160
(3) Director of a board of elections;	161
(4) Deputy director of a board of elections;	162

(5) Member of a board of elections;	163
(6) Employees of a board of elections;	164
(7) Precinct election officials;	165
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	166 167
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	168 169 170 171 172 173 174
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	175 176 177 178
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for	179 180 181 182 183 184 185 186 187 188 189 190 191

Ohioans with disabilities agency, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer.

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

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

(AA) (1) "Photo identification" means one of the following documents that includes the individual's name and photograph and is not expired:

(a) An Ohio driver's license, state identification card, or interim identification form issued by the registrar of motor vehicles or a deputy registrar under Chapter 4506. or 4507. of the Revised Code;

(b) A United States passport or passport card;

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

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

(BB) "Driver's license" means a license or permit issued

by the registrar or a deputy registrar under Chapter 4506. or 220
4507. of the Revised Code that authorizes an individual to 221
drive. "Driver's license" includes a driver's license, 222
commercial driver's license, probationary license, restricted 223
license, motorcycle operator's license, or temporary instruction 224
permit identification card. "Driver's license" does not include 225
a limited term license issued under section 4507.09 of the 226
Revised Code. 227

(CC) "State identification card" means a card issued by 228
the registrar or a deputy registrar under sections 4507.50 to 229
4507.52 of the Revised Code. 230

(DD) "Interim identification form" means the document 231
issued by the registrar or a deputy registrar to an applicant 232
for a driver's license or state identification card that 233
contains all of the information otherwise found on the license 234
or card and that an applicant may use as a form of 235
identification until the physical license or card arrives in the 236
mail. 237

Sec. 3503.071. (A) An elector's political party 238
affiliation shall be determined based on the most recent of the 239
following: 240

(1) The elector's affiliation, if any, with a currently 241
recognized political party as indicated on the elector's most 242
recent voter registration application or voter registration 243
update form; 244

(2) In the case of an elector who is registered to vote in 245
this state before the effective date of this section, the 246
currently recognized political party, if any, whose ballot the 247
elector most recently cast at a primary election held during the 248

calendar year of the effective date of this section or the 249
previous two calendar years. 250

(B) (1) Each voter registration application and voter 251
registration update form prescribed by the secretary of state 252
shall include all of the following: 253

(a) A list of the political parties that are recognized in 254
this state, accompanied by boxes for the applicant to check to 255
select a party with which the applicant wishes to be affiliated; 256

(b) A space for the applicant to write the name of a 257
recognized political party that is not listed on the form, if 258
the applicant wishes to be affiliated with that party; 259

(c) A box for the applicant to check to indicate that the 260
applicant does not wish to be affiliated with any political 261
party; 262

(d) A notice that the applicant may select or write the 263
name of only one recognized political party and that the 264
applicant is not required to select a political party. 265

(2) An applicant who submits a voter registration 266
application or update form shall be considered unaffiliated if 267
either of the following apply: 268

(a) The applicant indicates on the application or form 269
that the applicant does not wish to be affiliated with any 270
political party. 271

(b) The applicant is not currently registered as 272
affiliated with a political party, does not select or write the 273
name of a recognized political party, and does not indicate that 274
the applicant does not wish to be affiliated with any political 275
party. 276

(3) An applicant who submits a voter registration update 277
form shall remain registered as affiliated with the applicant's 278
current political party if the applicant currently is affiliated 279
with a political party, does not select or write the name of a 280
recognized political party, and does not indicate that the 281
applicant does not wish to be affiliated with any political 282
party. 283

Sec. 3503.09. (A) (1) The secretary of state shall adopt 284
rules for the electronic transmission by boards of elections, 285
designated agencies, public high schools and vocational schools, 286
public libraries, and offices of county treasurers, where 287
applicable, of ~~name and residence changes for voter registration~~ 288
~~records in the statewide voter registration database~~update 289
forms. 290

(2) The secretary of state shall adopt rules for the 291
purpose of improving the speed of processing new voter 292
registrations that permit information from a voter registration 293
application received by a designated agency to be made available 294
electronically, in addition to requiring the original voter 295
registration application to be transmitted to the applicable 296
board of elections under division (E) (2) of section 3503.10 of 297
the Revised Code. 298

(B) Rules adopted under division (A) of this section shall 299
do all of the following: 300

(1) Prohibit any direct electronic connection between a 301
designated agency, public high school or vocational school, 302
public library, or office of a county treasurer and the 303
statewide voter registration database; 304

(2) Require any updated voter registration information to 305

be verified by the secretary of state or a board of elections 306
before the information is added to the statewide voter 307
registration database for the purpose of modifying an existing 308
voter registration; 309

(3) Require each designated agency that transmits voter 310
registration information electronically to transmit an 311
identifier for data relating to each new voter registration that 312
shall be used by the secretary of state or a board of elections 313
to match the electronic data to the original voter registration 314
application. 315

Sec. 3503.10. (A) Each designated agency shall designate 316
one person within that agency to serve as coordinator for the 317
voter registration program within the agency and its 318
departments, divisions, and programs. The designated person 319
shall be trained under a program designed by the secretary of 320
state and shall be responsible for administering all aspects of 321
the voter registration program for that agency as prescribed by 322
the secretary of state. The designated person shall receive no 323
additional compensation for performing such duties. 324

(B) Every designated agency, public high school and 325
vocational school, public library, and office of a county 326
treasurer shall provide in each of its offices or locations 327
voter registration applications and assistance in the 328
registration of persons qualified to register to vote, in 329
accordance with this chapter. 330

(C) Every designated agency shall distribute to its 331
applicants, prior to or in conjunction with distributing a voter 332
registration application, a form prescribed by the secretary of 333
state that includes all of the following: 334

(1) The question, "Do you want to register to vote or
update your current voter registration?"--followed by boxes for
the applicant to indicate whether the applicant would like to
register or decline to register to vote, and the statement,
highlighted in bold print, "If you do not check either box, you
will be considered to have decided not to register to vote at
this time.";

(2) If the agency provides public assistance, the
statement, "Applying to register or declining to register to
vote will not affect the amount of assistance that you will be
provided by this agency.";

(3) The statement, "If you would like help in filling out
the voter registration application form, we will help you. The
decision whether to seek or accept help is yours. You may fill
out the application form in private.";

(4) The statement, "If you believe that someone has
interfered with your right to register or to decline to register
to vote, your right to privacy in deciding whether to register
or in applying to register to vote, or your right to choose your
own political party or other political preference, you may file
a complaint with the prosecuting attorney of your county or with
the secretary of state," with the address and telephone number
for each such official's office.

(D) Each designated agency shall distribute a voter
registration form prescribed by the secretary of state to each
applicant with each application for service or assistance, and
with each written application or form for recertification,
renewal, or change of address.

(E) Each designated agency shall do all of the following:

(1) Have employees trained to administer the voter 364
registration program in order to provide to each applicant who 365
wishes to register to vote and who accepts assistance, the same 366
degree of assistance with regard to completion of the voter 367
registration application as is provided by the agency with 368
regard to the completion of its own form; 369

(2) Accept completed voter registration applications, and 370
voter registration ~~change of residence forms, and voter~~ 371
~~registration change of name update~~ forms, regardless of whether 372
the application or form was distributed by the designated 373
agency, for transmittal to the office of the board of elections 374
in the county in which the agency is located. Each designated 375
agency and the appropriate board of elections shall establish a 376
method by which the voter registration applications and other 377
voter registration forms are transmitted to that board of 378
elections within five days after being accepted by the agency. 379

(3) If the designated agency is one that is primarily 380
engaged in providing services to persons with disabilities under 381
a state-funded program, and that agency provides services to a 382
person with disabilities at a person's home, provide the 383
services described in divisions (E) (1) and (2) of this section 384
at the person's home; 385

(4) Keep as confidential, except as required by the 386
secretary of state for record-keeping purposes, the identity of 387
an agency through which a person registered to vote or updated 388
the person's voter registration records, and information 389
relating to a declination to register to vote made in connection 390
with a voter registration application issued by a designated 391
agency. 392

(F) The secretary of state shall prepare and transmit 393

written instructions on the implementation of the voter 394
registration program within each designated agency, public high 395
school and vocational school, public library, and office of a 396
county treasurer. The instructions shall include directions as 397
follows: 398

(1) That each person designated to assist with voter 399
registration maintain strict neutrality with respect to a 400
person's political philosophies, a person's right to register or 401
decline to register, and any other matter that may influence a 402
person's decision to register or not register to vote; 403

(2) That each person designated to assist with voter 404
registration not seek to influence a person's decision to 405
register or not register to vote, not display or demonstrate any 406
political preference or party allegiance, and not make any 407
statement to a person or take any action the purpose or effect 408
of which is to lead a person to believe that a decision to 409
register or not register has any bearing on the availability of 410
services or benefits offered, on the grade in a particular class 411
in school, or on credit for a particular class in school; 412

(3) Regarding when and how to assist a person in 413
completing the voter registration application, what to do with 414
the completed voter registration application or voter 415
registration update form, and when the application must be 416
transmitted to the appropriate board of elections; 417

(4) Regarding what records must be kept by the agency and 418
where and when those records should be transmitted to satisfy 419
reporting requirements imposed on the secretary of state under 420
the National Voter Registration Act of 1993; 421

(5) Regarding whom to contact to obtain answers to 422

questions about voter registration forms and procedures. 423

(G) If the voter registration activity is part of an in- 424
class voter registration program in a public high school or 425
vocational school, whether prescribed by the secretary of state 426
or independent of the secretary of state, the board of education 427
shall do all of the following: 428

(1) Establish a schedule of school days and hours during 429
these days when the person designated to assist with voter 430
registration shall provide voter registration assistance; 431

(2) Designate a person to assist with voter registration 432
from the public high school's or vocational school's staff; 433

(3) Make voter registration applications and materials 434
available, as outlined in the voter registration program 435
established by the secretary of state pursuant to section 436
3501.05 of the Revised Code; 437

(4) Distribute the statement, "applying to register or 438
declining to register to vote, or registering as affiliated with 439
a particular political party or registering to vote and 440
remaining unaffiliated, will not affect or be a condition of 441
your receiving a particular grade in or credit for a school 442
course or class, participating in a curricular or 443
extracurricular activity, receiving a benefit or privilege, or 444
participating in a program or activity otherwise available to 445
pupils enrolled in this school district's schools."; 446

(5) Establish a method by which the voter registration 447
application and other voter registration forms are transmitted 448
to the board of elections within five days after being accepted 449
by the public high school or vocational school. 450

(H) Any person employed by the designated agency, public 451

high school or vocational school, public library, or office of a 452
county treasurer may be designated to assist with voter 453
registration pursuant to this section. The designated agency, 454
public high school or vocational school, public library, or 455
office of a county treasurer shall provide the designated 456
person, and make available such space as may be necessary, 457
without charge to the county or state. 458

(I) The secretary of state shall prepare and cause to be 459
displayed in a prominent location in each designated agency a 460
notice that identifies the person designated to assist with 461
voter registration, the nature of that person's duties, and 462
where and when that person is available for assisting in the 463
registration of voters. 464

A designated agency may furnish additional supplies and 465
services to disseminate information to increase public awareness 466
of the existence of a person designated to assist with voter 467
registration in every designated agency. 468

(J) This section does not limit any authority a board of 469
education, superintendent, or principal has to allow, sponsor, 470
or promote voluntary election registration programs within a 471
high school or vocational school, including programs in which 472
pupils serve as persons designated to assist with voter 473
registration, provided that no pupil is required to participate. 474

(K) Each public library and office of the county treasurer 475
shall establish a method by which voter registration forms are 476
transmitted to the board of elections within five days after 477
being accepted by the public library or office of the county 478
treasurer. 479

(L) The department of job and family services and its 480

departments, divisions, and programs shall limit administration 481
of the aspects of the voter registration program for the 482
department to the requirements prescribed by the secretary of 483
state and the requirements of this section and the National 484
Voter Registration Act of 1993. 485

Sec. 3503.11. (A) (1) When any person applies for a 486
driver's license, commercial driver's license, a state of Ohio 487
identification card issued under section 4507.50 of the Revised 488
Code, or motorcycle operator's license or endorsement, or the 489
renewal or duplicate of any license or endorsement under Chapter 490
4506. or 4507. of the Revised Code, and the person presents 491
proof of United States citizenship to the registrar of motor 492
vehicles or the deputy registrar or has previously presented 493
proof of United States citizenship to the registrar or any 494
deputy registrar, the registrar or deputy registrar shall offer 495
the applicant the opportunity to register to vote or to update 496
the applicant's voter registration by electronic means in 497
conjunction with the person's transaction with the registrar or 498
deputy registrar, in a manner prescribed by the secretary of 499
state. 500

(2) When any person submits a notice of change of address 501
to the registrar under division (C) of section 4507.09 of the 502
Revised Code, the registrar shall offer the applicant the 503
opportunity to submit a ~~notice of change of address for voter~~ 504
registration ~~purposes~~ update by electronic means in conjunction 505
with the person's transaction with the registrar, in a manner 506
prescribed by the secretary of state. 507

(3) When a person registers to vote or updates the 508
person's voter registration under division (A) (1) or (2) of this 509
section, the registrar or deputy registrar shall electronically 510

transmit the person's signature that is on file with the bureau 511
of motor vehicles with the electronic record of the voter 512
registration or update, and that signature shall be considered 513
the person's signature on the voter registration or update and 514
for all other election and signature-matching purposes. 515

(B) Within twenty-four hours after a person registers to 516
vote or updates the person's voter registration under division 517
(A) of this section, the registrar or deputy registrar shall 518
transmit the electronic record of the voter registration or 519
update to the secretary of state by electronic means in a manner 520
prescribed by the secretary of state by rule. Rules adopted 521
under this division shall do all of the following: 522

(1) Prohibit any direct electronic connection between the 523
office of the registrar or a deputy registrar and the statewide 524
voter registration database; 525

(2) Require any voter registration information to be 526
verified by the secretary of state or a board of elections 527
before the information is added to the statewide voter 528
registration database; 529

(3) Require the registrar or deputy registrar to 530
electronically date stamp each electronic record in a manner 531
that does not disclose the identity of the office that receives 532
the voter registration or update. 533

(C) (1) The registrar of motor vehicles and each deputy 534
registrar also shall make available to all other customers paper 535
voter registration applications and update forms, but are not 536
required to offer assistance to customers in completing those 537
forms. The bureau of motor vehicles shall supply all of its 538
deputy registrars with a sufficient number of voter registration 539

applications and update forms. 540

(2) Within five days after a person submits a completed 541
paper voter registration application or update form to the 542
registrar or a deputy registrar, the registrar or deputy 543
registrar shall send the form to the board of elections of the 544
county in which the office of the registrar or deputy registrar 545
is located. 546

(D) The registrar shall collect from each deputy registrar 547
through the reports filed under division (J) of section 4503.03 548
of the Revised Code and transmit to the secretary of state 549
information on the number of voter registration applications and 550
~~change of residence or change of name~~ update forms completed or 551
declined, and any additional information required by the 552
secretary of state to comply with the National Voter 553
Registration Act of 1993. No information relating to an 554
applicant's decision to decline to register or update the 555
applicant's voter registration at the office of the registrar or 556
deputy registrar may be used for any purpose other than voter 557
registration record-keeping required by the secretary of state, 558
and all such information shall be kept confidential. 559

Sec. 3503.14. ~~(A)~~ (A) (1) The secretary of state shall 560
prescribe the form and content of the voter registration, ~~change~~ 561
~~of residence~~, and ~~change of name~~ voter registration update forms 562
used in this state. The forms shall meet the requirements of the 563
National Voter Registration Act of 1993 and shall include spaces 564
for all of the following: 565

~~(1)~~ (a) The voter's name; 566

~~(2)~~ (b) The voter's address; 567

~~(3)~~ (c) The current date; 568

(4) <u>(d)</u> The voter's date of birth;	569
(5) <u>(e)</u> The voter to provide at least one of the following forms of identification:	570 571
(a) <u>(i)</u> The voter's Ohio driver's license or state identification card number;	572 573
(b) <u>(ii)</u> The last four digits of the voter's social security number.	574 575
(6) <u>(f)</u> The voter's signature.	576
<u>(2) The form shall include the political party affiliation fields and notice described in division (B)(1) of section 3503.071 of the Revised Code.</u>	577 578 579
<u>(3) 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.</u>	580 581 582 583 584
<u>(4) 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.</u>	585 586 587 588 589 590
<u>(5) 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</u>	591 592 593 594 595 596

information to data and the subsequent electronic transfer of 597
that data to the statewide voter registration database 598
established under section 3503.15 of the Revised Code. 599

(B) None of the following persons who are registering an 600
applicant in the course of that official's or employee's normal 601
duties shall sign the person's name, provide the person's 602
address, or name the employer who is employing the person to 603
register an applicant on a form prepared under this section: 604

(1) An election official; 605

(2) A county treasurer; 606

(3) A deputy registrar of motor vehicles; 607

(4) An employee of a designated agency; 608

(5) An employee of a public high school; 609

(6) An employee of a public vocational school; 610

(7) An employee of a public library; 611

(8) An employee of the office of a county treasurer; 612

(9) An employee of the bureau of motor vehicles; 613

(10) An employee of a deputy registrar of motor vehicles; 614

(11) An employee of an election official. 615

(C) Except as provided in section 3501.382 of the Revised 616
Code, any applicant who is unable to sign the applicant's own 617
name shall make an "X," if possible, which shall be certified by 618
the signing of the name of the applicant by the person filling 619
out the form, who shall add the person's own signature. If an 620
applicant is unable to make an "X," the applicant shall indicate 621
in some manner that the applicant desires to register to vote or 622

to ~~change~~ update the applicant's ~~name or residence~~ voter 623
registration. The person registering the applicant shall sign 624
the form and attest that the applicant indicated that the 625
applicant desired to register to vote or to ~~change the~~ 626
~~applicant's name or residence~~ update the applicant's voter 627
registration. 628

(D) No registration, ~~change of residence, or change of~~ 629
~~name~~ update form shall be rejected solely on the basis that a 630
person registering an applicant failed to sign the person's name 631
or failed to name the employer who is employing that person to 632
register the applicant as required under division (A) of this 633
section. 634

(E) A voter registration application or voter registration 635
update form submitted electronically through the registrar of 636
motor vehicles or a deputy registrar pursuant to section 3503.11 637
or submitted online through the internet pursuant to section 638
3503.20 of the Revised Code is not required to contain a 639
signature to be considered valid. The signature obtained under 640
division (A) (3) of section 3503.11 or under division (B) of 641
section 3503.20 of the Revised Code, as applicable, shall be 642
considered the applicant's signature for all election and 643
signature-matching purposes. 644

(F) (1) Except as otherwise provided in division (C) of 645
this section and in sections 3501.382 and 3505.24 of the Revised 646
Code, no person shall preprint or fill out any portion of a 647
voter registration, change of residence, or change of name form 648
on behalf of an applicant. 649

(2) A completed voter registration, change of residence, 650
or change of name form is not valid if any portion of it has 651
been completed by any person other than the applicant in 652

violation of division (F)(1) of this section. 653

(G) As used in this section, "registering an applicant" 654
includes any effort, for compensation, to provide voter 655
registration forms or to assist persons in completing or 656
returning those forms. 657

Sec. 3503.15. (A) The secretary of state shall establish 658
and maintain a statewide voter registration database that shall 659
be administered by the office of data analytics and archives in 660
the office of the secretary of state and made continuously 661
available to each board of elections and to other agencies as 662
authorized by law. 663

The statewide voter registration database shall be the 664
official list of registered electors for all elections conducted 665
in this state. 666

(B) The statewide voter registration database shall, at a 667
minimum, include all of the following: 668

(1) An electronic network that connects all board of 669
elections offices with the office of the secretary of state and 670
with the offices of all other boards of elections; 671

(2) A computer program that harmonizes the records 672
contained in the database with records maintained by each board 673
of elections; 674

(3) An interactive computer program that allows access to 675
the records contained in the database by each board of elections 676
and by any persons authorized by the secretary of state to add, 677
delete, modify, or print database records, and to conduct 678
updates of the database; 679

(4) A search program capable of verifying registered 680

electors and their registration information by name, driver's 681
license or state identification card number, birth date, social 682
security number, or current address; 683

(5) Safeguards and components to ensure that the 684
integrity, security, and confidentiality of the voter 685
registration information is maintained; 686

(6) Methods to retain canceled voter registration records 687
for not less than five years after they are canceled and to 688
record the reason for their cancellation. 689

(C) For each registered elector, the statewide voter 690
registration database shall include all of the following 691
information: 692

(1) The elector's name; 693

(2) The elector's birth date; 694

(3) The elector's current residence address; 695

(4) The elector's precinct number; 696

(5) The elector's political party affiliation, if any, as 697
determined under section 3503.071 of the Revised Code; 698

(6) The elector's Ohio driver's license or state 699
identification card number, if available; 700

~~(6)~~ (7) The last four digits of the elector's social 701
security number, if available; 702

~~(7)~~ (8) The elector's telephone number, if available; 703

~~(8)~~ (9) The elector's electronic mail address, if 704
available; 705

~~(9)~~ ~~(a)~~ (10) (a) The elector's voter registration date, which 706

shall be determined based on the elector's most recent 707
application to register to vote in this state, subject to 708
division ~~(C) (9) (b)~~ (C) (10) (b) of this section, as follows: 709

(i) In the case of an application delivered in person to a 710
state or local office of a designated agency, the office of the 711
registrar or any deputy registrar of motor vehicles, a public 712
high school or vocational school, a public library, or the 713
office of a county treasurer, the date stamped on the 714
application upon receipt by the entity that transmits the 715
application to the board of elections or the secretary of state; 716

(ii) In the case of an application delivered in person to 717
a board of elections or the secretary of state, the date stamped 718
on the application upon receipt by the board of elections or the 719
secretary of state, as applicable; 720

(iii) In the case of an application delivered by mail to a 721
board of elections or the secretary of state, the date the 722
application is postmarked; 723

(iv) In the case of an application submitted through the 724
online voter registration system established under section 725
3503.20 of the Revised Code, the date of the online submission; 726

(v) In the case of an application submitted to a board of 727
elections by facsimile transmission or electronic mail under 728
Chapter 3511. of the Revised Code, the date of the receipt of 729
the transmission or electronic mail by the board of elections; 730

(vi) In the case of a provisional ballot affirmation that 731
serves as an application to register to vote in future elections 732
because the individual who cast the ballot is not registered to 733
vote, the date the board of elections determines that the 734
provisional ballot is invalid under section 3505.183 of the 735

Revised Code. 736

(b) For purposes of determining an elector's voter 737
registration date under division ~~(C) (9) (a)~~ (C) (10) (a) of this 738
section, all of the following apply: 739

(i) An elector's voter registration date shall not be 740
during the period beginning on the day after the close of voter 741
registration before an election and ending on the day of the 742
election. If the date determined under division ~~(C) (9) (a)~~ (C) (10) 743
(a) of this section would be during that period, the voter 744
registration date instead shall be the date on which the board 745
of elections processes the application to register to vote after 746
the day of the election. 747

(ii) A change of address or change of name form, including 748
a provisional ballot affirmation that serves as a change of 749
address or change of name form, is not considered an application 750
to register to vote. 751

(iii) An application to register to vote that is submitted 752
by an individual who is already registered to vote in this state 753
is not considered an application to register to vote. 754

~~(10)~~ (11) The elector's voting history, including all of 755
the following for each election in which the elector cast a 756
ballot that was counted: 757

(a) The date of the election; 758

(b) If the election was a primary election, the political 759
party whose ballot the elector cast at the primary election or 760
an indication that the elector voted only on the questions and 761
issues appearing on the ballot at a special election held on the 762
day of the primary election; 763

(c) The type of ballot the elector cast.	764
(11) (12) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code.	765 766 767
(12) (13) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code.	768 769 770
(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day after the day of the election, a board of elections shall create a daily record of its voter registration database as of four p.m. and shall transmit the daily record to the secretary of state in a secure manner prescribed by the secretary of state. The secretary of state shall archive the daily record and retain it for at least twenty-two months after the day of the election.	771 772 773 774 775 776 777 778
(E) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code to implement this section and sections 3503.151 to 3503.153 of the Revised Code, including rules doing all of the following:	779 780 781 782
(1) Specifying the manner in which any voter registration records maintained by boards of elections in other data formats shall be converted for inclusion in the statewide voter registration database;	783 784 785 786
(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received, and for transmitting information securely to the secretary of state;	787 788 789 790 791
(3) Establishing a uniform method for purging canceled	792

voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code; 793
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(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database; 795
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797

(5) Establishing a process for annually auditing the information contained in the statewide voter registration database. 798
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(F) A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (E) (3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. 801
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(G) The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database. 807
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(H) A board of elections and any vendor with which it contracts to provide voter registration software or related services shall ensure that the board's voter registration system and practices comply with the requirements of this section and any rules adopted under this section. 812
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Sec. 3503.151. (A) The secretary of state, through the office of data analytics and archives, and the boards of elections shall maintain the accuracy of the statewide voter registration database in accordance with this section. 817
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(B) (1) State agencies, including, but not limited to, the 821

department of health, the bureau of motor vehicles, the 822
department of job and family services, the department of 823
medicaid, and the department of rehabilitation and corrections, 824
shall provide any information and data to the secretary of state 825
that is collected in the course of normal business and that is 826
necessary to register to vote, to update an elector's 827
registration, or to maintain the statewide voter registration 828
database, except where prohibited by federal law or regulation. 829
The department of health, the bureau of motor vehicles, the 830
department of job and family services, the department of 831
medicaid, and the department of rehabilitation and corrections 832
shall provide that information and data to the secretary of 833
state not later than the last day of each month. The secretary 834
of state shall ensure that any information or data provided to 835
the secretary of state that is confidential in the possession of 836
the entity providing the data remains confidential while in the 837
possession of the secretary of state. No public office, and no 838
public official or employee, shall sell that information or data 839
or use that information or data for profit. 840

(2) The secretary of state shall adopt rules under Chapter 841
119. of the Revised Code that establish, by mutual agreement 842
with the bureau of motor vehicles, the content and format of the 843
information and data the bureau of motor vehicles shall provide 844
to the secretary of state under division (B)(1) of this section 845
and the frequency with which the bureau shall provide that 846
information and data. 847

(C)(1) The secretary of state shall enter into agreements 848
to share information or data that is in the possession of the 849
secretary of state with other states or groups of states, as the 850
secretary of state considers necessary, in order to maintain the 851
statewide voter registration database. Except as otherwise 852

provided in division (C) (2) of this section, the secretary of 853
state shall ensure that any information or data provided to the 854
secretary of state that is confidential in the possession of the 855
state providing the data remains confidential while in the 856
possession of the secretary of state. 857

(2) The secretary of state may provide such otherwise 858
confidential information or data to persons or organizations 859
that are engaging in legitimate governmental purposes related to 860
the maintenance of the statewide voter registration database. 861
The secretary of state shall adopt rules pursuant to Chapter 862
119. of the Revised Code identifying the persons or 863
organizations who may receive that information or data. The 864
secretary of state shall not share that information or data with 865
a person or organization not identified in those rules. The 866
secretary of state shall ensure that a person or organization 867
that receives confidential information or data under this 868
division keeps the information or data confidential in the 869
person's or organization's possession by, at a minimum, entering 870
into a confidentiality agreement with the person or 871
organization. Any confidentiality agreement entered into under 872
this division shall include a requirement that the person or 873
organization submit to the jurisdiction of this state in the 874
event that the person or organization breaches the agreement. 875

(3) No person or entity that receives information or data 876
under division (C) of this section shall sell the information or 877
data or use the information or data for profit. 878

(D) The secretary of state shall regularly transmit to the 879
boards of elections, to the extent permitted by state and 880
federal law, the information and data the secretary of state 881
receives under divisions (B) and (C) of this section that is 882

necessary to do the following, in order to ensure that the 883
accuracy of the statewide voter registration database is 884
maintained on a regular basis in accordance with applicable 885
state and federal law: 886

(1) Require the boards of elections to maintain the 887
database in a manner that ensures that the name of each 888
registered elector appears in the database, that only 889
individuals who are not registered or eligible to vote are 890
removed from the database, and that duplicate registrations are 891
eliminated from the database; 892

(2) Require the boards of elections to make a reasonable 893
effort to remove individuals who are not eligible to vote from 894
the database; 895

(3) Establish safeguards to ensure that eligible electors 896
are not removed in error from the database. 897

(E) (1) The secretary of state shall adopt rules under 898
Chapter 119. of the Revised Code to establish a uniform method 899
for addressing instances in which records contained in the 900
statewide voter registration database do not conform with 901
records maintained by an agency, state, or group of states 902
described in division (B) or (C) of this section. That method 903
shall prohibit an elector's voter registration from being 904
canceled on the sole basis that the information in the 905
registration record does not conform to records maintained by 906
such an agency. 907

(2) Information provided under division (B) or (C) of this 908
section for maintenance of the statewide voter registration 909
database shall not be used to update ~~the name or address of a~~ 910
~~registered elector~~ an elector's registration. The name ~~or~~, 911

address, or political party affiliation of a registered elector 912
shall only be updated as a result of the elector's actions in 913
filing a ~~notice of change of name, change of address, or~~ 914
~~both~~ voter registration update form. 915

(3) A board of elections shall contact a registered 916
elector pursuant to the rules adopted under division (E)(1) of 917
this section to verify the accuracy of the information in the 918
statewide voter registration database regarding that elector if 919
that information does not conform with information provided 920
under division (B) or (C) of this section and the discrepancy 921
would affect the elector's eligibility to cast a regular ballot. 922

Sec. 3503.152. The secretary of state shall conduct an 923
annual review of the statewide voter registration database to 924
identify persons who appear not to be United States citizens, as 925
follows: 926

(A) The secretary of state shall compare the information 927
in the statewide voter registration database with the 928
information the secretary of state obtains from the bureau of 929
motor vehicles under section 3503.151 of the Revised Code to 930
identify any person who does all of the following, in the 931
following order: 932

(1) Submits documentation to the bureau of motor vehicles 933
that indicates that the person is not a United States citizen; 934

(2) Registers to vote, ~~submits a~~ updates the person's 935
~~voter registration change of residence or change of name form,~~ 936
or votes in this state; 937

(3) Submits documentation to the bureau of motor vehicles 938
that indicates that the person is not a United States citizen. 939

(B) The secretary of state shall send a written notice to 940

each person identified under division (A) of this section, 941
instructing the person either to confirm that the person is a 942
United States citizen or to submit a completed voter 943
registration cancellation form to the secretary of state. The 944
secretary of state shall include a blank voter registration 945
cancellation form with the notice. If the person fails to 946
respond to the secretary of state in the manner described in 947
division (C) or (D) of this section not later than thirty days 948
after the notice is sent, the secretary of state promptly shall 949
send the person a second notice and form. 950

(C) If, not later than sixty days after the first notice 951
is sent, a person who is sent a notice under division (B) of 952
this section responds to the secretary of state, confirming that 953
the person is a United States citizen, the secretary of state 954
shall take no action concerning the person's voter registration. 955

(D) If, not later than sixty days after the first notice 956
was sent, a person who receives a notice under division (B) of 957
this section sends a completed voter registration cancellation 958
form to the secretary of state, the secretary of state shall 959
instruct the board of elections of the county in which the 960
person is registered to cancel the person's registration. 961

(E) If a person who is sent a second notice under division 962
(B) of this section fails to respond to the secretary of state 963
in the manner described in division (C) or (D) of this section 964
not later than thirty days after the second notice is sent, the 965
secretary of state shall refer the matter to the attorney 966
general for further investigation and possible prosecution under 967
section 3599.11, 3599.12, 3599.13, or any other applicable 968
section of the Revised Code. If, after the thirtieth day after 969
the second notice is sent, the person sends a completed voter 970

registration cancellation form to the secretary of state, the 971
secretary of state shall instruct the board of elections of the 972
county in which the person is registered to cancel the person's 973
registration and shall notify the attorney general of the 974
cancellation. 975

(F) The secretary of state shall not conduct the review 976
described in this section during the ninety days immediately 977
preceding a primary or general election for federal office. 978

Sec. 3503.153. (A) The statewide voter registration 979
database shall be made available on a web site of the office of 980
the secretary of state as follows: 981

(1) Except as otherwise provided in division (A) (2) of 982
this section, the following information from the statewide voter 983
registration database regarding a registered elector shall be 984
made available on the web site: 985

(a) The elector's name; 986

(b) The elector's birth date; 987

(c) The elector's current residence address; 988

(d) The elector's precinct number; 989

(e) The elector's political party affiliation, if any, as 990
determined under section 3503.071 of the Revised Code; 991

(f) The elector's voter registration date, as described in 992
division ~~(C) (9)~~ (C) (10) of section 3503.15 of the Revised Code; 993

~~(g)~~ (g) The elector's voting history, as described in 994
division ~~(C) (10)~~ (C) (11) of section 3503.15 of the Revised Code; 995

~~(g)~~ (h) The elector's last activity date, as described in 996
division ~~(C) (11)~~ (C) (12) of section 3503.15 of the Revised Code. 997

(2) During the thirty days before the day of a primary or 998
general election, the web site interface of the statewide voter 999
registration database shall permit an elector to search for the 1000
polling location at which that elector may cast a ballot. 1001

(3) No information in the statewide voter registration 1002
database that is exempt from disclosure under division (A) (2) of 1003
section 3503.13 of the Revised Code shall be made available on 1004
the web site. 1005

(B) (1) The secretary of state shall establish, by rule 1006
adopted under Chapter 119. of the Revised Code, a process for 1007
boards of elections to notify the secretary of state of changes 1008
in the locations of precinct polling places for the purpose of 1009
updating the information made available on the secretary of 1010
state's web site under division (A) (2) of this section. Those 1011
rules shall require a board of elections, during the thirty days 1012
before the day of a primary or general election, to notify the 1013
secretary of state within one business day of any change to the 1014
location of a precinct polling place within the county. 1015

(2) During the thirty days before the day of a primary or 1016
general election, not later than one business day after 1017
receiving a notification from a county pursuant to division (B) 1018
(1) of this section that the location of a precinct polling 1019
place has changed, the secretary of state shall update that 1020
information on the secretary of state's web site for the purpose 1021
of division (A) (2) of this section. 1022

Sec. 3503.16. ~~(A) Except as otherwise provided in division~~ 1023
~~(E) of section 111.44 of the Revised Code, whenever~~ (A) Whenever 1024
a registered elector changes the place of residence of that 1025
registered elector ~~from one precinct to another within a county~~ 1026
~~or from one county to another~~ this state, or has a change of 1027

~~name or a change of political party affiliation, that registered~~ 1028
~~elector shall report the change by delivering a change of~~ 1029
~~residence or change of name form, whichever is appropriate, as~~ 1030
~~prescribed by the secretary of state under section 3503.14 of~~ 1031
~~the Revised Code to the state or local office of a designated~~ 1032
~~agency, a public high school or vocational school, a public~~ 1033
~~library, the office of the county treasurer, the office of the~~ 1034
~~secretary of state, any office of the registrar or deputy~~ 1035
~~registrar of motor vehicles, or any office of a board of~~ 1036
~~elections in person or by a third person. Any voter~~ 1037
~~registration, change of address, or change of name application,~~ 1038
~~returned by mail, may be sent only to the secretary of state or~~ 1039
~~the board of elections.~~ 1040

~~A registered elector also may update the registration of~~ 1041
~~that registered elector by filing a change of residence or~~ 1042
~~change of name form on the day of a special, primary, or general~~ 1043
~~election at the polling place in the precinct in which that~~ 1044
~~registered elector resides or at the board of elections or at~~ 1045
~~another site designated by the board one of the methods~~ 1046
~~described in section 3503.19 of the Revised Code not later than~~ 1047
~~the thirtieth day before the day of an election, except as~~ 1048
~~otherwise permitted under this section.~~ 1049

(B) (1) (a) Any registered elector who moves within a 1050
precinct on or prior to the day of a general, primary, or 1051
special election and has not ~~filed a notice of~~ reported the 1052
~~change of residence with the board of elections under section~~ 1053
~~3503.19 of the Revised Code~~ may vote in that election by going 1054
to that registered elector's assigned polling place, completing 1055
and signing a ~~notice of change of residence~~ voter registration 1056
update form, showing photo identification, and casting a ballot. 1057

(b) Any registered elector who changes the name of that registered elector and remains within a precinct on or prior to the day of a general, primary, or special election and has not ~~filed a notice of~~ reported the change of name with the board of elections under section 3503.19 of the Revised Code may vote in that election by going to that registered elector's assigned polling place, completing and signing a ~~notice of a change of name~~ voter registration update form, and casting a provisional ballot under section 3505.181 of the Revised Code. If the registered elector provides to the precinct election officials proof of a legal name change, such as a marriage license or court order that includes the elector's current and prior names, the elector may complete and sign a ~~notice of change of name~~ voter registration update form and cast a regular ballot.

(2) Any registered elector who moves from one precinct to another within a county or moves from one precinct to another and changes the name of that registered elector on or prior to the day of a general, primary, or special election and has not ~~filed a notice of~~ reported the change of residence or change of name, whichever is appropriate, with the board of elections under section 3503.19 of the Revised Code may vote in that election if that registered elector complies with division ~~(G)~~ (E) of this section or does all of the following:

(a) Appears at anytime during regular business hours on or after the twenty-eighth day prior to the election in which that registered elector wishes to vote or, if the election is held on the day of a presidential primary election, the twenty-fifth day prior to the election, through noon of the Saturday prior to the election at the office of the board of elections, appears at any time during regular business hours on the Monday prior to the election at the office of the board of elections, or appears on

the day of the election at either of the following locations: 1089

(i) The polling place for the precinct in which that 1090
registered elector resides; 1091

(ii) The office of the board of elections or, if pursuant 1092
to division (C) of section 3501.10 of the Revised Code the board 1093
has designated another location in the county at which 1094
registered electors may vote, at that other location instead of 1095
the office of the board of elections. 1096

(b) Completes and signs, under penalty of election 1097
falsification, the written affirmation on the provisional ballot 1098
envelope, which shall serve as a ~~notice of change of residence~~ 1099
~~or change of name, whichever is appropriate~~ voter registration 1100
update form; 1101

(c) Votes a provisional ballot under section 3505.181 of 1102
the Revised Code at the polling place, at the office of the 1103
board of elections, or, if pursuant to division (C) of section 1104
3501.10 of the Revised Code the board has designated another 1105
location in the county at which registered electors may vote, at 1106
that other location instead of the office of the board of 1107
elections, whichever is appropriate, using the address to which 1108
that registered elector has moved or the name of that registered 1109
elector as changed, whichever is appropriate; 1110

(d) Completes and signs, under penalty of election 1111
falsification, a statement attesting that that registered 1112
elector moved or had a change of name, whichever is appropriate, 1113
on or prior to the day of the election, has voted a provisional 1114
ballot at the polling place for the precinct in which that 1115
registered elector resides, at the office of the board of 1116
elections, or, if pursuant to division (C) of section 3501.10 of 1117

the Revised Code the board has designated another location in 1118
the county at which registered electors may vote, at that other 1119
location instead of the office of the board of elections, 1120
whichever is appropriate, and will not vote or attempt to vote 1121
at any other location for that particular election. 1122

(C) Any registered elector who moves from one county to 1123
another county within the state on or prior to the day of a 1124
general, primary, or special election and has not ~~registered to~~ 1125
~~vote in the county to which that registered elector moved~~ 1126
reported the change of residence under section 3503.19 of the 1127
Revised Code may vote in that election if that registered 1128
elector complies with division ~~(G)~~ (E) of this section or does 1129
all of the following: 1130

(1) Appears at any time during regular business hours on 1131
or after the twenty-eighth day prior to the election in which 1132
that registered elector wishes to vote or, if the election is 1133
held on the day of a presidential primary election, the twenty- 1134
fifth day prior to the election, through noon of the Saturday 1135
prior to the election at the office of the board of elections 1136
or, if pursuant to division (C) of section 3501.10 of the 1137
Revised Code the board has designated another location in the 1138
county at which registered electors may vote, at that other 1139
location instead of the office of the board of elections, 1140
appears during regular business hours on the Monday prior to the 1141
election at the office of the board of elections or, if pursuant 1142
to division (C) of section 3501.10 of the Revised Code the board 1143
has designated another location in the county at which 1144
registered electors may vote, at that other location instead of 1145
the office of the board of elections, or appears on the day of 1146
the election at the office of the board of elections or, if 1147
pursuant to division (C) of section 3501.10 of the Revised Code 1148

the board has designated another location in the county at which 1149
registered electors may vote, at that other location instead of 1150
the office of the board of elections; 1151

(2) Completes and signs, under penalty of election 1152
falsification, the written affirmation on the provisional ballot 1153
envelope, which shall serve as a ~~notice of change of residence~~ 1154
voter registration update form; 1155

(3) Votes a provisional ballot under section 3505.181 of 1156
the Revised Code at the office of the board of elections or, if 1157
pursuant to division (C) of section 3501.10 of the Revised Code 1158
the board has designated another location in the county at which 1159
registered electors may vote, at that other location instead of 1160
the office of the board of elections, using the address to which 1161
that registered elector has moved; 1162

(4) Completes and signs, under penalty of election 1163
falsification, a statement attesting that that registered 1164
elector has moved from one county to another county within the 1165
state on or prior to the day of the election, has voted at the 1166
office of the board of elections or, if pursuant to division (C) 1167
of section 3501.10 of the Revised Code the board has designated 1168
another location in the county at which registered electors may 1169
vote, at that other location instead of the office of the board 1170
of elections, and will not vote or attempt to vote at any other 1171
location for that particular election. 1172

(D) A person who votes by absent voter's ballots pursuant 1173
to division ~~(C)~~ (E) of this section shall not make written 1174
application for the ballots pursuant to Chapter 3509. of the 1175
Revised Code. Ballots cast pursuant to division ~~(C)~~ (E) of this 1176
section shall be set aside in a special envelope and counted 1177
during the official canvass of votes in the manner provided for 1178

in sections 3505.32 and 3509.06 of the Revised Code insofar as 1179
that manner is applicable. The board shall examine the pollbooks 1180
to verify that no ballot was cast at the polls or by absent 1181
voter's ballots under Chapter 3509. or 3511. of the Revised Code 1182
by an elector who has voted by absent voter's ballots pursuant 1183
to division ~~(G)~~(E) of this section. Any ballot determined to be 1184
insufficient for any of the reasons stated above or stated in 1185
section 3509.07 of the Revised Code shall not be counted. 1186

Subject to division (C) of section 3501.10 of the Revised 1187
Code, a board of elections may lease or otherwise acquire a site 1188
different from the office of the board at which registered 1189
electors may vote pursuant to division (B) or (C) of this 1190
section. 1191

~~(E) Upon receiving a notice of change of residence or
change of name, the board of elections shall immediately send
the registrant an acknowledgment notice. If the change of
residence or change of name notice is valid, the board shall
update the voter's registration as appropriate. If that form is
incomplete, the board shall inform the registrant in the
acknowledgment notice specified in this division of the
information necessary to complete or update that registrant's
registration.~~ 1192
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~~(F) Change of residence and change of name forms shall be
available at each polling place, and when these forms are
completed, noting changes of residence or name, as appropriate,
they shall be filed with election officials at the polling
place. Election officials shall return completed forms, together
with the pollbooks and tally sheets, to the board of elections.~~ 1201
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~~The board of elections shall provide change of residence
and change of name forms to the probate court and court of~~ 1207
1208

~~common pleas. The court shall provide the forms to any person~~ 1209
~~eighteen years of age or older who has a change of name by order~~ 1210
~~of the court or who applies for a marriage license. The court~~ 1211
~~shall forward all completed forms to the board of elections~~ 1212
~~within five days after receiving them.~~ 1213

~~(G)~~—A registered elector who otherwise would qualify to 1214
vote under division (B) or (C) of this section but is unable to 1215
appear at the office of the board of elections or, if pursuant 1216
to division (C) of section 3501.10 of the Revised Code the board 1217
has designated another location in the county at which 1218
registered electors may vote, at that other location, on account 1219
of personal illness, physical disability, or infirmity, may vote 1220
on the day of the election if that registered elector does all 1221
of the following: 1222

(1) Makes a written application on a form prescribed by 1223
the secretary of state that includes all of the information 1224
required under section 3509.03 of the Revised Code to the 1225
appropriate board for an absent voter's ballot on or after the 1226
twenty-seventh day prior to the election in which the registered 1227
elector wishes to vote through the close of business on the 1228
seventh day prior to that election and requests that the absent 1229
voter's ballot be sent to the address to which the registered 1230
elector has moved if the registered elector has moved, or to the 1231
address of that registered elector who has not moved but has had 1232
a change of name; 1233

(2) Declares that the registered elector has moved or had 1234
a change of name, whichever is appropriate, and otherwise is 1235
qualified to vote under the circumstances described in division 1236
(B) or (C) of this section, whichever is appropriate, but that 1237
the registered elector is unable to appear at the board of 1238

elections because of personal illness, physical disability, or 1239
infirmity; 1240

(3) Completes and returns a voter registration update form 1241
along with the completed absent voter's ballot ~~a notice of~~ 1242
~~change of residence indicating the address to which the~~ 1243
~~registered elector has moved, or a notice of change of name,~~ 1244
~~whichever is appropriate;~~ 1245

(4) Completes and signs, under penalty of election 1246
falsification, a statement attesting that the registered elector 1247
has moved or had a change of name on or prior to the day before 1248
the election, has voted by absent voter's ballot because of 1249
personal illness, physical disability, or infirmity that 1250
prevented the registered elector from appearing at the board of 1251
elections, and will not vote or attempt to vote at any other 1252
location or by absent voter's ballot mailed to any other 1253
location or address for that particular election. 1254

Sec. 3503.19. ~~(A) Persons~~ (A) (1) Except as otherwise 1255
provided in division (E) of section 111.44 of the Revised Code, 1256
persons qualified to register or to ~~change~~ update their 1257
registration because of a change of address ~~or,~~ change of name, 1258
or change of political party affiliation may register or ~~change~~ 1259
update their registration ~~in~~ by doing any of the following: 1260

(a) Submitting a voter registration application or voter 1261
registration update form in person or through another person at 1262
any state or local office of a designated agency, at the office 1263
of the registrar or any deputy registrar of motor vehicles, at a 1264
public high school or vocational school, at a public library, at 1265
the office of a county treasurer, or at a branch office 1266
established by the board of elections, ~~or in~~; 1267

(b) Submitting a voter registration application or a voter registration update form in person or through another person at a probate court or a court of common pleas. The board of elections shall provide the forms to the courts, and the courts shall provide the forms to any person eighteen years of age or older who has a change of name by order of the court or who applies for a marriage license. 1268
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(c) Submitting a voter registration application or a voter registration update form in person, through another person, or by mail at the office of the secretary of state or at the office of a ~~any~~ board of elections. A registered elector may also ~~change the elector's registration on~~; 1275
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(d) Submitting a voter registration application or a voter registration update form through the online voter registration system under section 3503.20 of the Revised Code; 1280
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(e) Submitting a voter registration application or a voter registration update form in person to the election officials 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.~~ Voter registration applications and voter registration update forms shall be available at each polling place, and the election officials shall return all completed forms, together with the pollbooks and tally sheets, to the board of elections. 1283
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(f) In the case of a person who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 52 U.S.C. 20310, returning the person's completed voter registration application or voter registration update 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 1292
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residence is located pursuant to Chapter 3511. of the Revised 1298
Code. 1299

(2) (a) Any state or local office of a designated agency, a 1300
public high school or vocational school, a public library, a 1301
probate court or court of common pleas, or the office of a 1302
county treasurer shall date stamp a voter registration 1303
application or voter registration update form it receives using 1304
a date stamp that does not disclose the identity of the state or 1305
local office that receives it and shall transmit ~~any voter~~ 1306
~~registration~~ the application or ~~change of registration~~ form that 1307
it receives to the board of elections of the county in which the 1308
state or local office is located, within five days after 1309
receiving the ~~voter registration~~ application or ~~change of~~ 1310
~~registration~~ form. The office of the registrar or any deputy 1311
registrar of motor vehicles shall date stamp a voter 1312
registration application or voter registration update form it 1313
receives using a date stamp that does not disclose the identity 1314
of the state or local office that receives it, transmit any 1315
electronic voter registration application or ~~change of voter~~ 1316
registration update form that it receives to the secretary of 1317
state within twenty-four hours after receiving it, and shall 1318
transmit any paper voter registration application or ~~change of~~ 1319
~~voter registration~~ update form that it receives to the board of 1320
elections of the county in which the office of the registrar or 1321
deputy registrar is located within five days after receiving the 1322
~~voter registration~~ application or ~~change of registration~~ form, 1323
as required under section 3503.11 of the Revised Code. 1324

(b) If the board of elections or the office of the 1325
secretary of state receives a voter registration application or 1326
voter registration update form before the thirtieth day before 1327
an election, the board or the office of the secretary of state, 1328

as applicable, shall forward the application or form to the 1329
board of elections of the county in which the applicant resides 1330
within ten days after receiving it. If a board of elections or 1331
the office of the secretary of state receives a voter 1332
registration application or voter registration update form on or 1333
after the thirtieth day before an election, the board or the 1334
office of the secretary of state, as applicable, shall forward 1335
the application or form to the board of elections of the county 1336
in which the applicant resides within thirty days after that 1337
election. 1338

(3) Except as otherwise provided in section 3503.16 of the 1339
Revised Code: 1340

(a) An otherwise valid voter registration application that 1341
is returned to the appropriate office other than by mail must be 1342
received by a state or local office of a designated agency, the 1343
office of the registrar or any deputy registrar of motor 1344
vehicles, a public high school or vocational school, a public 1345
library, a probate court or court of common pleas, the office of 1346
a county treasurer, the office of the secretary of state, or the 1347
office of a board of elections no later than the thirtieth day 1348
preceding a primary, special, or general election for the person 1349
to qualify as an elector eligible to vote at that election. An 1350
otherwise valid registration application received after that day 1351
entitles the elector to vote at all subsequent elections. 1352

~~Any state or local office of a designated agency, the~~ 1353
~~office of the registrar or any deputy registrar of motor~~ 1354
~~vehicles, a public high school or vocational school, a public~~ 1355
~~library, or the office of a county treasurer shall date stamp a~~ 1356
~~registration application or change of name or change of address~~ 1357
~~form it receives using a date stamp that does not disclose the~~ 1358

~~identity of the state or local office that receives the~~ 1359
~~registration.~~ 1360

(b) Voter registration applications, if otherwise valid, 1361
that are returned by mail to the office of the secretary of 1362
state or to the office of a board of elections must be 1363
postmarked no later than the thirtieth day preceding a primary, 1364
special, or general election in order for the person to qualify 1365
as an elector eligible to vote at that election. If an otherwise 1366
valid voter registration application that is returned by mail 1367
does not bear a postmark or a legible postmark, the registration 1368
shall be valid for that election if received by the office of 1369
the secretary of state or the office of a board of elections no 1370
later than twenty-five days preceding any special, primary, or 1371
general election. 1372

~~(B) (1)~~ (B) Any person may apply in person, by telephone, by 1373
mail, or through another person for voter registration forms to 1374
the office of the secretary of state or the office of a board of 1375
elections. An individual who is eligible to vote as a uniformed 1376
services voter or an overseas voter in accordance with 42-52 1377
U.S.C. ~~1973ff-6-20310~~ also may apply for voter registration 1378
forms by electronic means to the office of the secretary of 1379
state or to the board of elections of the county in which the 1380
person's voting residence is located pursuant to section 1381
3503.191 of the Revised Code. 1382

~~(2) (a) An applicant may return the applicant's completed~~ 1383
~~registration form in person or by mail to any state or local~~ 1384
~~office of a designated agency, to a public high school or~~ 1385
~~vocational school, to a public library, to the office of a~~ 1386
~~county treasurer, to the office of the secretary of state, or to~~ 1387
~~the office of a board of elections. An applicant who is eligible~~ 1388

~~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 or voter registration update form and 1419
is satisfied as to the truth of the statements made in the 1420
~~registration application or form~~ shall register the applicant or 1421
update the elector's registration not later than twenty business 1422
days after receiving the application, unless that application is 1423
received during the thirty days immediately preceding the day of 1424
an election. The board shall promptly notify the ~~applicant-~~ 1425
person in writing of each of the following: 1426

(a) The applicant's fact that the person is registered to 1427
vote or has had the person's registration updated; 1428

(b) The person's political party affiliation, if any, as 1429
determined under section 3503.071 of the Revised Code; 1430

(c) The precinct in which the applicant-person is to vote; 1431

~~(e)~~ (d) In bold type as follows: 1432

"Voters must bring photo identification to the polls in 1433
order to verify identity. Voters who do not provide photo 1434
identification will still be able to vote by casting a 1435
provisional ballot." 1436

The notification shall be by nonforwardable mail. If the 1437
mail is returned to the board, it shall investigate and cause 1438
the notification to be delivered to the correct address. 1439

(2) If, after investigating as required under division (C) 1440
(1) of this section, the board is unable to verify the voter's 1441
correct address, it shall cause the voter's name in the official 1442
registration list and in the poll list or signature pollbook to 1443
be marked to indicate that the voter's notification was returned 1444
to the board. 1445

At the first election at which a voter whose name has been 1446

so marked appears to vote, the voter shall be required to vote 1447
by provisional ballot under section 3505.181 of the Revised 1448
Code. If the provisional ballot is counted pursuant to division 1449
(B) (3) of section 3505.183 of the Revised Code, the board shall 1450
correct that voter's registration, if needed, and shall remove 1451
the indication that the voter's notification was returned from 1452
that voter's name on the official registration list and on the 1453
poll list or signature pollbook. If the provisional ballot is 1454
not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1455
section 3505.183 of the Revised Code, the voter's registration 1456
shall be canceled. The board shall notify the voter by United 1457
States mail of the cancellation. 1458

(3) If a notice of the disposition of an otherwise valid 1459
registration application is sent by nonforwardable mail and is 1460
returned undelivered, the person shall be registered as provided 1461
in division (C) (2) of this section and sent a confirmation 1462
notice by forwardable mail. If the person fails to respond to 1463
the confirmation notice, update the person's registration, or 1464
vote by provisional ballot as provided in division (C) (2) of 1465
this section in any election during the period of two federal 1466
elections subsequent to the mailing of the confirmation notice, 1467
the person's registration shall be canceled. 1468

Sec. 3503.20. (A) The secretary of state shall establish a 1469
secure online voter registration system. The system shall 1470
provide for all of the following: 1471

(1) An applicant to submit a voter registration 1472
application to the secretary of state online through the 1473
internet; 1474

(2) The online applicant to be registered to vote, if all 1475
of the following apply: 1476

(a) The application contains all of the following	1477
information:	1478
(i) The applicant's name;	1479
(ii) The applicant's address;	1480
(iii) The applicant's date of birth;	1481
(iv) The last four digits of the applicant's social	1482
security number;	1483
(v) The applicant's Ohio driver's license number or the	1484
number of the applicant's state identification card issued under	1485
section 4507.50 of the Revised Code.	1486
(b) The applicant's name, address, and date of birth, the	1487
last four digits of the applicant's social security number, and	1488
the applicant's Ohio driver's license number or the number of	1489
the applicant's state identification card as they are provided	1490
in the application are not inconsistent with the information on	1491
file with the bureau of motor vehicles;	1492
(c) The applicant is a United States citizen, will have	1493
lived in this state for thirty days immediately preceding the	1494
next election, will be at least eighteen years of age on or	1495
before the day of the next general election, and is otherwise	1496
eligible to register to vote;	1497
(d) The applicant attests to the truth and accuracy of the	1498
information submitted in the online application under penalty of	1499
election falsification.	1500
<u>(3) The application includes the political party</u>	1501
<u>affiliation fields and notice described in division (B) (1) of</u>	1502
<u>section 3503.071 of the Revised Code.</u>	1503

(B) If an individual registers to vote or a registered 1504
elector updates the elector's ~~name, address, or both~~ 1505
registration under this section, the secretary of state shall 1506
obtain an electronic copy of the applicant's or elector's 1507
signature that is on file with the bureau of motor vehicles. 1508
That electronic signature shall be used as the applicant's or 1509
elector's signature on voter registration records, for all 1510
election and signature-matching purposes. 1511

(C) The secretary of state shall employ whatever security 1512
measures the secretary of state considers necessary to ensure 1513
the integrity and accuracy of voter registration information 1514
submitted electronically pursuant to this section. Errors in 1515
processing voter registration applications in the online system 1516
shall not prevent an applicant from becoming registered or from 1517
voting. 1518

(D) The online voter registration application established 1519
under division (A) of this section shall include the following 1520
language: 1521

"By clicking the box below, I affirm all of the following 1522
under penalty of election falsification, which is a felony of 1523
the fifth degree: 1524

(1) I am the person whose name and identifying information 1525
is provided on this form, and I desire to register to vote, or 1526
update my voter registration, in the State of Ohio. 1527

(2) All of the information I have provided on this form is 1528
true and correct as of the date I am submitting this form. 1529

(3) I am a United States citizen. 1530

(4) I will have lived in Ohio for thirty days immediately 1531
preceding the next election. 1532

(5) I will be at least eighteen years of age on or before 1533
the day of the next general election. 1534

(6) I authorize the Bureau of Motor Vehicles to transmit 1535
to the Ohio Secretary of State my signature that is on file with 1536
the Bureau of Motor Vehicles, and I understand and agree that 1537
the signature transmitted by the Bureau of Motor Vehicles will 1538
be used by the Secretary of State to validate this electronic 1539
voter registration application as if I had signed this form 1540
personally." 1541

In order to register to vote or update a voter 1542
registration under division (A) of this section, an applicant or 1543
elector shall be required to mark the box in the online voter 1544
registration application that appears in conjunction with the 1545
previous statement. 1546

~~(E) The online voter registration process established 1547
under division (A) of this section shall be in operation and 1548
available for use by individuals who wish to register to vote or 1549
update their voter registration information online not earlier 1550
than January 1, 2017. During the period beginning on the first 1551
day after the close of voter registration before an election and 1552
ending on the day of the election, the online voter registration 1553
system shall display a notice indicating that the applicant will 1554
not be registered to vote for the purposes of that election. 1555~~

(F) Notwithstanding section 1.50 of the Revised Code, if 1556
any provision of this section or of division (E) of section 1557
3503.14 of the Revised Code is held invalid, or if the 1558
application of any provision of this section or of that division 1559
to any person or circumstance is held invalid, then this section 1560
and that division cease to operate. 1561

Sec. 3503.23. (A) Fourteen days before an election, the 1562
board of elections shall cause to be prepared from the statewide 1563
voter registration database established under section 3503.15 of 1564
the Revised Code a complete and official registration list for 1565
each precinct, containing the names, addresses, and political 1566
party ~~whose ballot the elector voted in the most recent primary~~ 1567
~~election within the current year and the immediately preceding~~ 1568
~~two calendar years,~~ affiliations of all qualified registered 1569
voters in the precinct, except as otherwise provided in section 1570
111.44 of the Revised Code. All the names, insofar as 1571
practicable, shall be arranged in alphabetical order. The lists 1572
may be prepared either in sheet form on one side of the paper or 1573
in electronic form, at the discretion of the board. Each 1574
precinct list shall be headed "Register of Voters," and under 1575
the heading shall be indicated the district or ward and 1576
precinct. 1577

Appended to each precinct list shall be attached the names 1578
of the members of the board and the name of the director. A 1579
sufficient number of such lists shall be provided for 1580
distribution to the candidates, political parties, or organized 1581
groups that apply for them. The board shall have each precinct 1582
list available at the board for viewing by the public during 1583
normal business hours. The board shall ensure that, by the 1584
opening of the polls on the day of a general or primary 1585
election, each precinct has a paper copy of the registration 1586
list of voters in that precinct. 1587

(B) On the day of a general or primary election, precinct 1588
election officials shall do both of the following: 1589

(1) By the time the polls open, conspicuously post and 1590
display at the polling place one copy of the registration list 1591

of voters in that precinct in an area of the polling place that 1592
is easily accessible; 1593

(2) At 11 a.m. and 4 p.m. place a mark, on the official 1594
registration list posted at the polling place, before the name 1595
of those registered voters who have voted. 1596

(C) Notwithstanding division (B) of section 3501.35 of the 1597
Revised Code, any person may enter the polling place for the 1598
sole purpose of reviewing the official registration list posted 1599
in accordance with division (B) of this section, provided that 1600
the person does not engage in conduct that would constitute 1601
harassment in violation of the election law, as defined in 1602
section 3501.90 of the Revised Code. 1603

Sec. 3503.28. (A) The secretary of state shall develop an 1604
information brochure regarding voter registration. The brochure 1605
shall include, but is not limited to, all of the following 1606
information: 1607

(1) The applicable deadlines for registering to vote or 1608
for returning an applicant's completed registration form; 1609

(2) The applicable deadline for returning an applicant's 1610
completed registration form if the person returning the form is 1611
being compensated for registering voters; 1612

(3) The manner in which a person may establish or change 1613
the person's political party affiliation; 1614

(4) The locations to which a person may return an 1615
applicant's completed registration form; 1616

~~(4)~~ (5) The location to which a person who is compensated 1617
for registering voters may return an applicant's completed 1618
registration form; 1619

~~(5)~~ (6) The registration and affirmation requirements 1620
applicable to persons who are compensated for registering voters 1621
under section 3503.29 of the Revised Code; 1622

~~(6)~~ (7) A notice, which shall be written in bold type, 1623
stating as follows: 1624

"Voters must bring photo identification to the polls in 1625
order to verify identity. Voters who do not provide photo 1626
identification will still be able to vote by casting a 1627
provisional ballot." 1628

(B) Except as otherwise provided in division (D) of this 1629
section, a board of elections, designated agency, public high 1630
school, public vocational school, public library, office of a 1631
county treasurer, or deputy registrar of motor vehicles shall 1632
distribute a copy of the brochure developed under division (A) 1633
of this section to any person who requests more than two voter 1634
registration forms at one time. 1635

(C) (1) The secretary of state shall provide the 1636
information required to be included in the brochure developed 1637
under division (A) of this section to any person who prints a 1638
voter registration form that is made available on a web site of 1639
the office of the secretary of state. 1640

(2) If a board of elections operates and maintains a web 1641
site, the board shall provide the information required to be 1642
included in the brochure developed under division (A) of this 1643
section to any person who prints a voter registration form that 1644
is made available on that web site. 1645

(D) A board of elections shall not be required to 1646
distribute a copy of a brochure under division (B) of this 1647
section to any of the following officials or employees who are 1648

requesting more than two voter registration forms at one time in	1649
the course of the official's or employee's normal duties:	1650
(1) An election official;	1651
(2) A county treasurer;	1652
(3) A deputy registrar of motor vehicles;	1653
(4) An employee of a designated agency;	1654
(5) An employee of a public high school;	1655
(6) An employee of a public vocational school;	1656
(7) An employee of a public library;	1657
(8) An employee of the office of a county treasurer;	1658
(9) An employee of the bureau of motor vehicles;	1659
(10) An employee of a deputy registrar of motor vehicles;	1660
(11) An employee of an election official.	1661
(E) As used in this section, "registering voters" includes	1662
any effort, for compensation, to provide voter registration	1663
forms or to assist persons in completing or returning those	1664
forms.	1665
Sec. 3505.181. (A) All of the following individuals shall	1666
be permitted to cast a provisional ballot at an election:	1667
(1) An individual who declares that the individual is a	1668
registered voter in the precinct in which the individual desires	1669
to vote and that the individual is eligible to vote in an	1670
election, but the name of the individual does not appear on the	1671
official list of eligible voters for the precinct or an election	1672
official asserts that the individual is not eligible to vote;	1673

- (2) An individual who does not have or is unable to provide photo identification to the election officials; 1674
1675
- (3) An individual whose name in the poll list or signature pollbook has been marked under section 3509.09 or 3511.13 of the Revised Code as having requested an absent voter's ballot or a uniformed services or overseas absent voter's ballot for that election and who appears to vote at the polling place; 1676
1677
1678
1679
1680
- (4) An individual whose notification of registration has been returned undelivered to the board of elections and whose name in the official registration list and in the poll list or signature pollbook has been marked under division (C) (2) of section 3503.19 of the Revised Code; 1681
1682
1683
1684
1685
- (5) An individual who has been successfully challenged under section 3505.20 or ~~3513.20~~ 3513.19 of the Revised Code; 1686
1687
- (6) An individual who changes the individual's name and remains within the precinct without providing proof of that name change under division (B) (1) (b) of section 3503.16 of the Revised Code, moves from one precinct to another within a county, moves from one precinct to another and changes the individual's name, or moves from one county to another within the state, and completes and signs the required forms and statements under division (B) or (C) of section 3503.16 of the Revised Code; 1688
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- (7) An individual whose signature, in the opinion of the precinct officers under section 3505.22 of the Revised Code, is not that of the person who signed that name in the registration forms. 1697
1698
1699
1700
- (B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to 1701
1702

cast a provisional ballot as follows: 1703

(1) An election official at the polling place shall notify 1704
the individual that the individual may cast a provisional ballot 1705
in that election. 1706

(2) Except as otherwise provided in division (F) of this 1707
section, the individual shall complete and execute a written 1708
affirmation before an election official at the polling place 1709
stating that the individual is both of the following: 1710

(a) A registered voter in the precinct in which the 1711
individual desires to vote; 1712

(b) Eligible to vote in that election. 1713

(3) An election official at the polling place shall 1714
transmit the ballot cast by the individual and the voter 1715
information contained in the written affirmation executed by the 1716
individual under division (B) (2) of this section to an 1717
appropriate local election official for verification under 1718
division (B) (4) of this section. 1719

(4) If the appropriate local election official to whom the 1720
ballot or voter or address information is transmitted under 1721
division (B) (3) of this section determines that the individual 1722
is eligible to vote, the individual's provisional ballot shall 1723
be counted as a vote in that election. 1724

(5) (a) At the time that an individual casts a provisional 1725
ballot, the appropriate local election official shall give the 1726
individual written information that states that any individual 1727
who casts a provisional ballot will be able to ascertain under 1728
the system established under division (B) (5) (b) of this section 1729
whether the vote was counted, and, if the vote was not counted, 1730
the reason that the vote was not counted. 1731

(b) The appropriate state or local election official shall 1732
establish a free access system, in the form of a toll-free 1733
telephone number, that any individual who casts a provisional 1734
ballot may access to discover whether the vote of that 1735
individual was counted, and, if the vote was not counted, the 1736
reason that the vote was not counted. The free access system 1737
established under this division also shall provide to an 1738
individual whose provisional ballot was not counted information 1739
explaining how that individual may contact the board of 1740
elections to register to vote or to resolve problems with the 1741
individual's voter registration. 1742

The appropriate state or local election official shall 1743
establish and maintain reasonable procedures necessary to 1744
protect the security, confidentiality, and integrity of personal 1745
information collected, stored, or otherwise used by the free 1746
access system established under this division. The system shall 1747
permit an individual only to gain access to information about 1748
the individual's own provisional ballot. 1749

(6) If, at the time that an individual casts a provisional 1750
ballot, the individual provides photo identification, the 1751
individual shall record the type of identification provided on 1752
the provisional ballot affirmation and, if the individual 1753
provides an Ohio driver's license, state identification card, or 1754
interim identification document, the individual also shall write 1755
the individual's driver's license or state identification card 1756
number on the provisional ballot affirmation. 1757

(7) (a) For a provisional ballot to be eligible to be 1758
counted when it is cast by an individual who does not have photo 1759
identification because the individual has a religious objection 1760
to being photographed, the individual shall complete an 1761

affidavit of religious objection under section 3505.19 of the 1762
Revised Code. The election officials shall attach the affidavit 1763
to the individual's provisional ballot envelope. If the 1764
individual does not complete the affidavit at the time of 1765
casting the provisional ballot, the individual may appear at the 1766
office of the board of elections within four days after the day 1767
of the election and complete the affidavit. 1768

(b) For a provisional ballot to be eligible to be counted 1769
when it is cast by any other individual who does not have or is 1770
unable to provide photo identification to the election 1771
officials, the individual who cast that ballot, within four days 1772
after the day of the election, shall appear at the office of the 1773
board of elections and provide photo identification. 1774

(8) For a provisional ballot cast by an individual who has 1775
been successfully challenged under section 3505.20 of the 1776
Revised Code to be eligible to be counted, the individual who 1777
cast that ballot, within four days after the day of that 1778
election, shall provide to the board of elections any 1779
identification or other documentation required to be provided by 1780
the applicable challenge questions asked of that individual 1781
under section 3505.20 of the Revised Code. 1782

(C) (1) If an individual declares that the individual is 1783
eligible to vote in a precinct other than the precinct in which 1784
the individual desires to vote, or if, upon review of the 1785
precinct voting location guide using the residential street 1786
address provided by the individual, an election official at the 1787
precinct at which the individual desires to vote determines that 1788
the individual is not eligible to vote in that precinct, the 1789
election official shall direct the individual to the precinct 1790
and polling place in which the individual appears to be eligible 1791

to vote, explain that the individual may cast a provisional ballot at the current location but the ballot or a portion of the ballot will not be counted if it is cast in the wrong precinct, and provide the telephone number of the board of elections in case the individual has additional questions.

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

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

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

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

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

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

(D) The appropriate local election official shall cause voting information to be publicly posted at each polling place

on the day of each election.	1821
(E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code:	1822
(1) "Precinct voting location guide" means either of the following:	1823
(a) An electronic or paper record that lists the correct precinct and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;	1824
(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct precinct and polling place of any qualified elector who resides in the county.	1825
(2) "Voting information" means all of the following:	1826
(a) A sample version of the ballot that will be used for that election;	1827
(b) Information regarding the date of the election and the hours during which polling places will be open;	1828
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	1829
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	1830
(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged	1831
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to have been violated; 1848

(f) General information on federal and state laws 1849
regarding prohibitions against acts of fraud and 1850
misrepresentation. 1851

(F) Nothing in this section or section 3505.183 of the 1852
Revised Code is in derogation of section 3505.24 of the Revised 1853
Code, which permits a blind, disabled, or illiterate elector to 1854
receive assistance in the marking of the elector's ballot by two 1855
precinct election officials of different political parties. A 1856
blind, disabled, or illiterate elector may receive assistance in 1857
marking that elector's provisional ballot and in completing the 1858
required affirmation in the same manner as an elector may 1859
receive assistance on the day of an election under that section. 1860

Sec. 3509.02. (A) Any qualified elector may vote by absent 1861
voter's ballots at an election. 1862

(B) Any qualified elector who is unable to appear at the 1863
office of the board of elections or, if pursuant to division (C) 1864
of section 3501.10 of the Revised Code the board has designated 1865
another location in the county at which registered electors may 1866
vote, at that other location on account of personal illness, 1867
physical disability, or infirmity, and who moves from one 1868
precinct to another within a county, changes the elector's name 1869
and moves from one precinct to another within a county, or moves 1870
from one county to another county within the state, on or prior 1871
to the day of a general, primary, or special election and has 1872
not filed a notice of change of residence or change of name may 1873
vote by absent voter's ballots in that election as specified in 1874
division ~~(C)~~(E) of section 3503.16 of the Revised Code. 1875

Sec. 3509.04. (A) If a board of elections receives an 1876

application for absent voter's ballots that does not contain all 1877
of the required information or is not submitted on an 1878
appropriate form, the board promptly shall notify the applicant 1879
of the additional information required to be provided by the 1880
applicant to complete that application, direct the applicant to 1881
use an appropriate form, or both, as applicable. 1882

(B) Upon receipt by the board of elections of an 1883
application for absent voter's ballots that contains all of the 1884
required information and is submitted on an appropriate form, as 1885
provided by section 3509.03 and division ~~(G)~~ (E) of section 1886
3503.16 of the Revised Code, the board, if the board finds that 1887
the applicant is a qualified elector, shall deliver to the 1888
applicant in person or mail directly to the applicant by special 1889
delivery mail, air mail, or regular mail, postage prepaid, 1890
proper absent voter's ballots. The board shall deliver or mail 1891
with the ballots an unsealed identification envelope upon the 1892
face of which shall be printed a form substantially as follows: 1893

"Identification Envelope Statement of Voter 1894

I, _____ (Name of voter), declare under 1895
penalty of election falsification that the within ballot or 1896
ballots contained no voting marks of any kind when I received 1897
them, and I caused the ballot or ballots to be marked, enclosed 1898
in the identification envelope, and sealed in that envelope. 1899

My voting residence in Ohio is 1900

_____ 1901

(Street and Number, if any, or Rural Route and Number) 1902

of _____ (City, Village, or Township) 1903

Ohio, which is in Ward _____ Precinct _____ 1904

in that city, village, or township. 1905

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

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

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

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

(Voter must provide one of the following:)

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

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

_____ In lieu of providing a driver's license or state identification card number or the last four digits of my Social Security Number, I am enclosing a copy of my photo identification in the return envelope in which this identification envelope will be mailed.

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

(Signature of Voter)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF

THE FIFTH DEGREE." 1933

The board shall mail with the ballots and the unsealed 1934
identification envelope an unsealed return envelope upon the 1935
face of which shall be printed the post-office address of the 1936
board. In the upper left corner on the face of the return 1937
envelope, several blank lines shall be printed upon which the 1938
voter may write the voter's name and return address. The return 1939
envelope shall be of such size that the identification envelope 1940
can be conveniently placed within it for returning the 1941
identification envelope to the board. 1942

No public office, and no public official or employee who 1943
is acting in an official capacity, shall prepay the return 1944
postage for any absent voter's ballots. 1945

Except as otherwise provided in this section and in 1946
sections 3505.24 and 3509.08 of the Revised Code, an election 1947
official shall not fill out any portion of an identification 1948
envelope statement of voter or an absent voter's ballot on 1949
behalf of an elector. A board of elections may preprint only an 1950
elector's name and address on an identification envelope 1951
statement of voter before mailing absent voter's ballots to the 1952
elector, except that if the elector has a confidential voter 1953
registration record, as described in section 111.44 of the 1954
Revised Code, the board of elections shall not preprint the 1955
elector's address on the identification envelope statement of 1956
voter. 1957

Sec. 3509.07. If election officials find that any of the 1958
following are true concerning an absent voter's ballot or absent 1959
voter's presidential ballot cast under section 3503.16, 3509.05, 1960
3509.08, or 3511.09 of the Revised Code and, if applicable, the 1961
person did not provide any required additional information to 1962

the board of elections not later than the fourth day after the 1963
day of the election, as permitted under division (D) (3) (b) or 1964
(E) (2) of section 3509.06 of the Revised Code, the ballot shall 1965
not be accepted or counted: 1966

(A) The statement accompanying the ballot is incomplete as 1967
described in division (D) (3) (a) of section 3509.06 of the 1968
Revised Code or is insufficient; 1969

(B) The signatures do not correspond with the person's 1970
registration signature; 1971

(C) The applicant is not a qualified elector in the 1972
precinct or for the election in which the elector cast the 1973
ballot; 1974

(D) The ballot envelope contains more than one ballot of 1975
any one kind, or any voted ballot that the elector is not 1976
entitled to vote; 1977

(E) Stub A is detached from the absent voter's ballot or 1978
absent voter's presidential ballot; ~~or~~ 1979

(F) The elector has not included with the elector's ballot 1980
any identification required under section 3509.05 or 3511.09 of 1981
the Revised Code. 1982

The vote of any absent voter may be challenged for cause 1983
in the same manner as other votes are challenged, and the 1984
election officials shall determine the legality of that ballot. 1985
Every ballot not counted shall be endorsed on its back "Not 1986
Counted" with the reasons the ballot was not counted, and shall 1987
be enclosed and returned to or retained by the board of 1988
elections along with the contested ballots. 1989

Sec. 3509.08. (A) Any qualified elector, who, on account 1990

of the elector's own personal illness, physical disability, or 1991
infirmity, or on account of the elector's confinement in a jail 1992
or workhouse under sentence for a misdemeanor or awaiting trial 1993
on a felony or misdemeanor, will be unable to travel from the 1994
elector's home or place of confinement to the voting booth in 1995
the elector's precinct on the day of any general, special, or 1996
primary election may make application in writing for an absent 1997
voter's ballot to the board of elections of the elector's county 1998
in the manner described in section 3509.03 of the Revised Code. 1999
The application shall state the nature of the elector's illness, 2000
physical disability, or infirmity, or the fact that the elector 2001
is confined in a jail or workhouse and the elector's resultant 2002
inability to travel to the election booth in the elector's 2003
precinct on election day. 2004

The absent voter's ballot may be mailed directly to the 2005
applicant at the applicant's voting residence or place of 2006
confinement as stated in the applicant's application, or the 2007
board may designate two board employees belonging to the two 2008
major political parties for the purpose of delivering the ballot 2009
to the disabled or confined elector and returning it to the 2010
board, unless the applicant is confined to a public or private 2011
institution within the county, in which case the board shall 2012
designate two board employees belonging to the two major 2013
political parties for the purpose of delivering the ballot to 2014
the disabled or confined elector and returning it to the board. 2015
In all other instances, the ballot shall be returned to the 2016
office of the board in the manner prescribed in section 3509.05 2017
of the Revised Code. 2018

Any disabled or confined elector who declares to the two 2019
board employees belonging to the two major political parties 2020
that the elector is unable to mark the elector's ballot by 2021

reason of physical infirmity that is apparent to the employees 2022
to be sufficient to incapacitate the voter from marking the 2023
elector's ballot properly, may receive, upon request, the 2024
assistance of the employees in marking the elector's ballot, and 2025
they shall thereafter give no information in regard to this 2026
matter. Such assistance shall not be rendered for any other 2027
cause. 2028

When two board employees belonging to the two major 2029
political parties deliver a ballot to a disabled or confined 2030
elector, each of the employees shall be present when the ballot 2031
is delivered, when assistance is given, and when the ballot is 2032
returned to the office of the board, and shall subscribe to the 2033
declaration on the identification envelope. 2034

The secretary of state shall prescribe the form of 2035
application for absent voter's ballots under this division. 2036

This chapter applies to disabled and confined absent 2037
voter's ballots except as otherwise provided in this section. 2038

(B) (1) Any qualified elector who is unable to travel to 2039
the voting booth in the elector's precinct on the day of any 2040
general, special, or primary election may apply to the board of 2041
elections of the county where the elector is a qualified elector 2042
to vote in the election by absent voter's ballot if either of 2043
the following apply: 2044

(a) The elector is confined in a hospital as a result of 2045
an accident or unforeseeable medical emergency occurring before 2046
the election; 2047

(b) The elector's minor child is confined in a hospital as 2048
a result of an accident or unforeseeable medical emergency 2049
occurring before the election. 2050

(2) The application authorized under division (B) (1) of 2051
this section shall be made in writing in the manner described in 2052
section 3509.03 of the Revised Code, except that the application 2053
shall be delivered to the office of the board not later than 2054
three p.m. on the day of the election. The application shall 2055
indicate the hospital where the applicant or the applicant's 2056
child is confined, the date of the applicant's or the 2057
applicant's child's admission to the hospital, and the offices 2058
for which the applicant is qualified to vote. The applicant may 2059
also request that a member of the applicant's family, as listed 2060
in section 3509.05 of the Revised Code, deliver the absent 2061
voter's ballot to the applicant. The board, after establishing 2062
to the board's satisfaction the validity of the circumstances 2063
claimed by the applicant, shall supply an absent voter's ballot 2064
to be delivered to the applicant. When the applicant or the 2065
applicant's child is in a hospital in the county where the 2066
applicant is a qualified elector and no request is made for a 2067
member of the family to deliver the ballot, the board shall 2068
arrange for the delivery of an absent voter's ballot to the 2069
applicant, and for its return to the office of the board, by two 2070
board employees belonging to the two major political parties 2071
according to the procedures prescribed in division (A) of this 2072
section. When the applicant or the applicant's child is in a 2073
hospital outside the county where the applicant is a qualified 2074
elector and no request is made for a member of the family to 2075
deliver the ballot, the board shall arrange for the delivery of 2076
an absent voter's ballot to the applicant by mail, and the 2077
ballot shall be returned to the office of the board in the 2078
manner prescribed in section 3509.05 of the Revised Code. 2079

(3) Any qualified elector who is eligible to vote under 2080
division (B) or (C) of section 3503.16 of the Revised Code but 2081

is unable to do so because of the circumstances described in 2082
division (B) (2) of this section may vote in accordance with 2083
division (B) (1) of this section if that qualified elector states 2084
in the application for absent voter's ballots that that 2085
qualified elector moved or had a change of name under the 2086
circumstances described in division (B) or (C) of section 2087
3503.16 of the Revised Code and if that qualified elector 2088
complies with divisions ~~(G) (1)~~ (E) (1) to (4) of section 3503.16 2089
of the Revised Code. 2090

(C) Any qualified elector described in division (A) or (B) 2091
(1) of this section who needs no assistance to vote or to return 2092
absent voter's ballots to the board of elections may apply for 2093
absent voter's ballots under section 3509.03 of the Revised Code 2094
instead of applying for them under this section or may cast 2095
absent voter's ballots in person under section 3509.051 of the 2096
Revised Code. 2097

(D) Any qualified elector described in division (A) or (B) 2098
(1) of this section to whom ballots are delivered by two 2099
employees of the board of elections or who votes with the 2100
assistance of two employees of the board of elections shall be 2101
considered to have cast absent voter's ballots by mail, rather 2102
than in person, for the purpose of the laws governing voter 2103
identification. 2104

Sec. 3513.041. A write-in space shall be provided on the 2105
ballot for every office, except in an election for which the 2106
board of elections has received no valid declarations of intent 2107
to be a write-in candidate under this section. Write-in votes 2108
shall not be counted for any candidate who has not filed a 2109
declaration of intent to be a write-in candidate pursuant to 2110
this section. A qualified person who has filed a declaration of 2111

intent may receive write-in votes at either a primary or general 2112
election. Any candidate shall file a declaration of intent to be 2113
a write-in candidate before four p.m. of the seventy-second day 2114
preceding the election at which such candidacy is to be 2115
considered. If the election is to be determined by electors of a 2116
county or a district or subdivision within the county, such 2117
declaration shall be filed with the board of elections of that 2118
county. If the election is to be determined by electors of a 2119
subdivision located in more than one county, such declaration 2120
shall be filed with the board of elections of the county in 2121
which the major portion of the population of such subdivision is 2122
located. If the election is to be determined by electors of a 2123
district comprised of more than one county but less than all of 2124
the counties of the state, such declaration shall be filed with 2125
the board of elections of the most populous county in such 2126
district. Any candidate for an office to be voted upon by 2127
electors throughout the entire state shall file a declaration of 2128
intent to be a write-in candidate with the secretary of state 2129
before four p.m. of the seventy-second day preceding the 2130
election at which such candidacy is to be considered. In 2131
addition, candidates for president and vice-president of the 2132
United States shall also file with the secretary of state by 2133
that seventy-second day a slate of presidential electors 2134
sufficient in number to satisfy the requirements of the United 2135
States constitution. 2136

A board of elections shall not accept for filing the 2137
declaration of intent to be a write-in candidate of a person 2138
seeking to become a candidate if that person, for the same 2139
election, has already filed a declaration of candidacy, a 2140
declaration of intent to be a write-in candidate, or a 2141
nominating petition, or has become a candidate through party 2142

nomination at a primary election or by the filling of a vacancy 2143
under section 3513.30 or 3513.31 of the Revised Code, for any 2144
federal, state, or county office, if the declaration of intent 2145
to be a write-in candidate is for a state or county office, or 2146
for any municipal or township office, for member of a city, 2147
local, or exempted village board of education, or for member of 2148
a governing board of an educational service center, if the 2149
declaration of intent to be a write-in candidate is for a 2150
municipal or township office, or for member of a city, local, or 2151
exempted village board of education, or for member of a 2152
governing board of an educational service center. 2153

No person shall file a declaration of intent to be a 2154
write-in candidate for the office of governor unless the 2155
declaration also shows the intent of another person to be a 2156
write-in candidate for the office of lieutenant governor. No 2157
person shall file a declaration of intent to be a write-in 2158
candidate for the office of lieutenant governor unless the 2159
declaration also shows the intent of another person to be a 2160
write-in candidate for the office of governor. No person shall 2161
file a declaration of intent to be a write-in candidate for the 2162
office of governor or lieutenant governor if the person has 2163
previously filed a declaration of intent to be a write-in 2164
candidate to the office of governor or lieutenant governor at 2165
the same primary or general election. A write-in vote for the 2166
two candidates who file such a declaration shall be counted as a 2167
vote for them as joint candidates for the offices of governor 2168
and lieutenant governor. 2169

The secretary of state shall not accept for filing the 2170
declaration of intent to be a write-in candidate of a person for 2171
the office of governor unless the declaration also shows the 2172
intent of another person to be a write-in candidate for the 2173

office of lieutenant governor, shall not accept for filing the 2174
declaration of intent to be a write-in candidate of a person for 2175
the office of lieutenant governor unless the declaration also 2176
shows the intent of another person to be a write-in candidate 2177
for the office of governor, and shall not accept for filing the 2178
declaration of intent to be a write-in candidate of a person to 2179
the office of governor or lieutenant governor if that person, 2180
for the same election, has already filed a declaration of 2181
candidacy, a declaration of intent to be a write-in candidate, 2182
or a nominating petition, or has become a candidate through 2183
party nomination at a primary election or by the filling of a 2184
vacancy under section 3513.30 or 3513.31 of the Revised Code, 2185
for any other state office or any federal or county office. 2186

Protests against the candidacy of any person filing a 2187
declaration of intent to be a write-in candidate may be filed by 2188
any qualified elector who is eligible to vote in the election at 2189
which the candidacy is to be considered. The protest shall be in 2190
writing and shall be filed not later than four p.m. of the 2191
sixty-seventh day before the day of the election. The protest 2192
shall be filed with the board of elections with which the 2193
declaration of intent to be a write-in candidate was filed. Upon 2194
the filing of the protest, the board with which it is filed 2195
shall promptly fix the time for hearing it and shall proceed in 2196
regard to the hearing in the same manner as for hearings set for 2197
protests filed under section 3513.05 of the Revised Code. At the 2198
time fixed, the board shall hear the protest and determine the 2199
validity or invalidity of the declaration of intent to be a 2200
write-in candidate. If the board finds that the candidate is not 2201
an elector of the state, district, county, or political 2202
subdivision in which the candidate seeks election to office; is 2203
not affiliated with the political party whose nomination or 2204

office the candidate seeks at a primary election, if applicable; 2205
or has not fully complied with the requirements of Title XXXV of 2206
the Revised Code in regard to the candidate's candidacy, the 2207
candidate's declaration of intent to be a write-in candidate 2208
shall be determined to be invalid and shall be rejected; 2209
otherwise, it shall be determined to be valid. The determination 2210
of the board is final. 2211

The secretary of state shall prescribe the form of the 2212
declaration of intent to be a write-in candidate. 2213

Sec. 3513.05. Each person desiring to become a candidate 2214
for a party nomination at a primary election or for election to 2215
an office or position to be voted for at a primary election, 2216
except persons desiring to become joint candidates for the 2217
offices of governor and lieutenant governor and except as 2218
otherwise provided in section 3513.051 of the Revised Code, 2219
shall, not later than four p.m. of the ninetieth day before the 2220
day of the primary election, file a declaration of candidacy and 2221
petition and pay the fees required under divisions (A) and (B) 2222
of section 3513.10 of the Revised Code. The declaration of 2223
candidacy and all separate petition papers shall be filed at the 2224
same time as one instrument. When the offices are to be voted 2225
for at a primary election, persons desiring to become joint 2226
candidates for the offices of governor and lieutenant governor 2227
shall, not later than four p.m. of the ninetieth day before the 2228
day of the primary election, comply with section 3513.04 of the 2229
Revised Code. The prospective joint candidates' declaration of 2230
candidacy and all separate petition papers of candidacies shall 2231
be filed at the same time as one instrument. The secretary of 2232
state or a board of elections shall not accept for filing a 2233
declaration of candidacy and petition of a person seeking to 2234
become a candidate if that person, for the same election, has 2235

already filed a declaration of candidacy or a declaration of 2236
intent to be a write-in candidate, or has become a candidate by 2237
the filling of a vacancy under section 3513.30 of the Revised 2238
Code for any federal, state, or county office, if the 2239
declaration of candidacy is for a state or county office, or for 2240
any municipal or township office, if the declaration of 2241
candidacy is for a municipal or township office. 2242

If the declaration of candidacy declares a candidacy which 2243
is to be submitted to electors throughout the entire state, the 2244
petition, including a petition for joint candidates for the 2245
offices of governor and lieutenant governor, shall be signed by 2246
at least one thousand qualified electors who are ~~members of~~ 2247
affiliated with the same political party as the candidate or 2248
joint candidates, and the declaration of candidacy and petition 2249
shall be filed with the secretary of state; provided that the 2250
secretary of state shall not accept or file any such petition 2251
appearing on its face to contain signatures of more than three 2252
thousand electors. 2253

Except as otherwise provided in this paragraph, if the 2254
declaration of candidacy is of one that is to be submitted only 2255
to electors within a district, political subdivision, or portion 2256
thereof, the petition shall be signed by not less than fifty 2257
qualified electors who are ~~members of~~ affiliated with the same 2258
political party as ~~the political party of which the candidate is~~ 2259
~~a member~~. If the declaration of candidacy is for party 2260
nomination as a candidate for member of the legislative 2261
authority of a municipal corporation elected by ward, the 2262
petition shall be signed by not less than twenty-five qualified 2263
electors who are ~~members of~~ affiliated with the same political 2264
party ~~of which~~ as the candidate ~~is a member~~. 2265

No such petition, except the petition for a candidacy that 2266
is to be submitted to electors throughout the entire state, 2267
shall be accepted for filing if it appears to contain on its 2268
face signatures of more than three times the minimum number of 2269
signatures. When a petition of a candidate has been accepted for 2270
filing by a board of elections, the petition shall not be deemed 2271
invalid if, upon verification of signatures contained in the 2272
petition, the board of elections finds the number of signatures 2273
accepted exceeds three times the minimum number of signatures 2274
required. A board of elections may discontinue verifying 2275
signatures on petitions when the number of verified signatures 2276
equals the minimum required number of qualified signatures. 2277

If the declaration of candidacy declares a candidacy for 2278
party nomination or for election as a candidate of a minor 2279
party, the minimum number of signatures on such petition is one- 2280
half the minimum number provided in this section, except that, 2281
when the candidacy is one for election as a member of the state 2282
central committee or the county central committee of a political 2283
party, the minimum number shall be the same for a minor party as 2284
for a major party. 2285

If a declaration of candidacy is one for election as a 2286
member of the state central committee or the county central 2287
committee of a political party, the petition shall be signed by 2288
five qualified electors of the district, county, ward, township, 2289
or precinct within which electors may vote for such candidate. 2290
The electors signing such petition shall be ~~members of~~ 2291
affiliated with the same political party as the ~~political party~~ 2292
~~of which the candidate is a member.~~ 2293

~~For purposes of signing or circulating a petition of~~ 2294
~~candidacy for party nomination or election, an elector is~~ 2295

~~considered to be a member of a political party if the elector-~~ 2296
~~voted in that party's primary election within the preceding two-~~ 2297
~~calendar years, or if the elector did not vote in any other-~~ 2298
~~party's primary election within the preceding two calendar-~~ 2299
~~years.~~ 2300

If the declaration of candidacy is of one that is to be 2301
submitted only to electors within a county, or within a district 2302
or subdivision or part thereof smaller than a county, the 2303
petition shall be filed with the board of elections of the 2304
county. If the declaration of candidacy is of one that is to be 2305
submitted only to electors of a district or subdivision or part 2306
thereof that is situated in more than one county, the petition 2307
shall be filed with the board of elections of the county within 2308
which the major portion of the population thereof, as 2309
ascertained by the next preceding federal census, is located. 2310

A petition shall consist of separate petition papers, each 2311
of which shall contain signatures of electors of only one 2312
county. Petitions or separate petition papers containing 2313
signatures of electors of more than one county shall not thereby 2314
be declared invalid. In case petitions or separate petition 2315
papers containing signatures of electors of more than one county 2316
are filed, the board shall determine the county from which the 2317
majority of signatures came, and only signatures from such 2318
county shall be counted. Signatures from any other county shall 2319
be invalid. 2320

Each separate petition paper shall be circulated by one 2321
person only, who shall be the candidate or a joint candidate or 2322
a ~~member of~~ person who is affiliated with the same political 2323
party as the candidate or joint candidates, and each separate 2324
petition paper shall be governed by the rules set forth in 2325

section 3501.38 of the Revised Code. 2326

The secretary of state shall promptly transmit to each 2327
board such separate petition papers of each petition 2328
accompanying a declaration of candidacy filed with the secretary 2329
of state as purport to contain signatures of electors of the 2330
county of such board. The board of the most populous county of a 2331
district shall promptly transmit to each board within such 2332
district such separate petition papers of each petition 2333
accompanying a declaration of candidacy filed with it as purport 2334
to contain signatures of electors of the county of each such 2335
board. The board of a county within which the major portion of 2336
the population of a subdivision, situated in more than one 2337
county, is located, shall promptly transmit to the board of each 2338
other county within which a portion of such subdivision is 2339
located such separate petition papers of each petition 2340
accompanying a declaration of candidacy filed with it as purport 2341
to contain signatures of electors of the portion of such 2342
subdivision in the county of each such board. 2343

All petition papers so transmitted to a board and all 2344
petitions accompanying declarations of candidacy filed with a 2345
board shall, under proper regulations, be open to public 2346
inspection until four p.m. of the eightieth day before the day 2347
of the next primary election. Each board shall, not later than 2348
the seventy-eighth day before the day of that primary election, 2349
examine and determine the validity or invalidity of the 2350
signatures on the petition papers so transmitted to or filed 2351
with it and shall return to the secretary of state all petition 2352
papers transmitted to it by the secretary of state, together 2353
with its certification of its determination as to the validity 2354
or invalidity of signatures thereon, and shall return to each 2355
other board all petition papers transmitted to it by such board, 2356

together with its certification of its determination as to the 2357
validity or invalidity of the signatures thereon. All other 2358
matters affecting the validity or invalidity of such petition 2359
papers shall be determined by the secretary of state or the 2360
board with whom such petition papers were filed. 2361

For purposes of being eligible to sign or circulate a 2362
petition of candidacy for party nomination or election, an 2363
elector is considered to be affiliated with a political party 2364
if, at the time the petition is verified, the elector is 2365
affiliated with that party as determined under section 3503.071 2366
of the Revised Code. 2367

Protests against the candidacy of any person filing a 2368
declaration of candidacy for party nomination or for election to 2369
an office or position, as provided in this section, may be filed 2370
by any qualified elector who is ~~a member of~~ affiliated with the 2371
same political party as the candidate and who is eligible to 2372
vote at the primary election for the candidate whose declaration 2373
of candidacy the elector objects to, or by the controlling 2374
committee of that political party. The protest shall be in 2375
writing, and shall be filed not later than four p.m. of the 2376
seventy-fourth day before the day of the primary election. The 2377
protest shall be filed with the election officials with whom the 2378
declaration of candidacy and petition was filed. Upon the filing 2379
of the protest, the election officials with whom it is filed 2380
shall promptly fix the time for hearing it, and shall forthwith 2381
mail notice of the filing of the protest and the time fixed for 2382
hearing to the person whose candidacy is so protested. They 2383
shall also forthwith mail notice of the time fixed for such 2384
hearing to the person who filed the protest. At the time fixed, 2385
such election officials shall hear the protest and determine the 2386
validity or invalidity of the declaration of candidacy and 2387

petition. If they find that such candidate is not an elector of 2388
the state, district, county, or political subdivision in which 2389
the candidate seeks a party nomination or election to an office 2390
or position, is not affiliated with the political party, or has 2391
not fully complied with this chapter, the candidate's 2392
declaration of candidacy and petition shall be determined to be 2393
invalid and shall be rejected; otherwise, it shall be determined 2394
to be valid. That determination shall be final. 2395

A protest against the candidacy of any persons filing a 2396
declaration of candidacy for joint party nomination to the 2397
offices of governor and lieutenant governor shall be filed, 2398
heard, and determined in the same manner as a protest against 2399
the candidacy of any person filing a declaration of candidacy 2400
singly. 2401

The secretary of state shall, on the seventieth day before 2402
the day of a primary election, certify to each board in the 2403
state the forms of the official ballots to be used at the 2404
primary election, together with the names of the candidates to 2405
be printed on the ballots whose nomination or election is to be 2406
determined by electors throughout the entire state and who filed 2407
valid declarations of candidacy and petitions. 2408

The board of the most populous county in a district 2409
comprised of more than one county but less than all of the 2410
counties of the state shall, on the seventieth day before the 2411
day of a primary election, certify to the board of each county 2412
in the district the names of the candidates to be printed on the 2413
official ballots to be used at the primary election, whose 2414
nomination or election is to be determined only by electors 2415
within the district and who filed valid declarations of 2416
candidacy and petitions. 2417

The board of a county within which the major portion of 2418
the population of a subdivision smaller than the county and 2419
situated in more than one county is located shall, on the 2420
seventieth day before the day of a primary election, certify to 2421
the board of each county in which a portion of that subdivision 2422
is located the names of the candidates to be printed on the 2423
official ballots to be used at the primary election, whose 2424
nomination or election is to be determined only by electors 2425
within that subdivision and who filed valid declarations of 2426
candidacy and petitions. 2427

Sec. 3513.07. The form of declaration of candidacy and 2428
petition of a person desiring to be a candidate for a party 2429
nomination or a candidate for election to an office or position 2430
to be voted for at a primary election shall be substantially as 2431
follows: 2432

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 2433

I, _____ (Name of Candidate), the 2434
undersigned, hereby declare under penalty of election 2435
falsification that my voting residence is in _____ 2436
precinct of the _____ (Township) or 2437
(Ward and City or Village) in the county of _____, 2438
Ohio; that my voting residence is _____ (Street and 2439
Number, if any, or Rural Route and Number) of the 2440
_____ (City or Village) of 2441
_____, Ohio; and that I am a qualified elector in 2442
the precinct in which my voting residence is located. I am a 2443
~~member of~~ affiliated with the _____ Party. I hereby declare 2444
that I desire to be _____ (a candidate for 2445
nomination as a candidate of the Party for election to the 2446
office of _____) (a candidate for election to the office 2447

or position of _____) for the _____ in the 2448
state, district, (Full term or unexpired term ending 2449
_____) county, city, or village of 2450
_____, at the primary election to be held on the 2451
_____ day of _____, _____, and I hereby request that 2452
my name be printed upon the official primary election ballot of 2453
the said _____ Party as a candidate for _____ (such 2454
nomination) or (such election) as provided by law. 2455

I further declare that, if elected to said office or 2456
position, I will qualify therefor, and that I will support and 2457
abide by the principles enunciated by the _____ Party. 2458

Dated this _____ day of _____, _____ 2459

_____ 2460

(Signature of candidate) 2461

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2462
FELONY OF THE FIFTH DEGREE. 2463

PETITION OF CANDIDATE 2464

We, the undersigned, qualified electors of the state of 2465
Ohio, whose voting residence is in the county, city, village, 2466
ward, township, or school district, and precinct set opposite 2467
our names, and ~~members of~~ affiliated with the 2468
_____ Party, hereby certify 2469
that _____ (Name of candidate) whose 2470
declaration of candidacy is filed herewith, is ~~a member of~~ 2471
affiliated with the _____ Party, and is, in our opinion, 2472
well qualified to perform the duties of the office or position 2473
to which that candidate desires to be elected. 2474

Street City, 2475

and Village or 2476

Signature Number Township Ward Precinct County Date 2477

(Must use address on file with the board of elections) 2478

2479

2480

_____ (Name of circulator 2482

of petition), declares under penalty of election falsification 2483

that the circulator of the petition is a qualified elector of 2484

the state of Ohio and resides at the address appearing below the 2485

signature of that circulator; that the circulator is a ~~member of~~ 2486

affiliated with the _____ Party; that the circulator is 2487

the circulator of the foregoing petition paper containing 2488

_____ (Number) signatures; that the circulator witnessed 2489

the affixing of every signature; that all signers were to the 2490

best of the circulator's knowledge and belief qualified to sign; 2491

and that every signature is to the best of the circulator's 2492

knowledge and belief the signature of the person whose signature 2493

it purports to be or of an attorney in fact acting pursuant to 2494

section 3501.382 of the Revised Code. 2495

2496

(Signature of circulator) 2497

2498

(Address of circulator's 2499

permanent residence in this 2500

state) 2501

2502

(If petition is for a 2503
statewide candidate, the 2504
name and address of person 2505
employing to circulate 2506
petition, if any) 2507

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2508
FELONY OF THE FIFTH DEGREE." 2509

The secretary of state shall prescribe a form of 2510
declaration of candidacy and petition, and the form shall be 2511
substantially similar to the declaration of candidacy and 2512
petition set forth in this section, that will be suitable for 2513
joint candidates for the offices of governor and lieutenant 2514
governor. 2515

The petition provided for in this section shall be 2516
circulated only by ~~a member of an~~ an elector who is affiliated with 2517
the same political party as the candidate. 2518

Sec. 3513.18. (A) Party primaries shall be held at the 2519
same place and time, but there shall be separate pollbooks and 2520
tally sheets provided at each polling place for each party 2521
participating in the election. The pollbooks shall include each 2522
elector's political party affiliation, if any. An elector may 2523
vote a political party's ballot at a primary election only if 2524
the elector is affiliated with that political party as of the 2525
thirtieth day before the day of the primary election. 2526

(B) If a special election on a question or issue is held 2527
on the day of a primary election, there shall be provided in the 2528
pollbooks pages on which shall be recorded the names of all 2529
electors voting on said question or issue and not voting in such 2530

primary. ~~It shall not be necessary for electors desiring~~ Any 2531
elector may choose to vote only on the ~~question or issue to~~ 2532
declare their political affiliation questions or issues 2533
appearing on the ballot. An elector who is not affiliated with 2534
any political party shall vote only on the questions or issues 2535
appearing on the ballot. 2536

Sec. 3513.19. (A) It is the duty of any precinct election 2537
official, whenever any such official doubts that a person 2538
attempting to vote at a primary election is legally entitled to 2539
vote at that election, to challenge the right of that person to 2540
vote. The right of a person to vote at a primary election may be 2541
challenged as described in section 3505.20 of the Revised Code 2542
or upon the following grounds: 2543

~~(1) That the person whose right to vote is challenged is~~ 2544
~~not a legally qualified elector;~~ 2545

~~(2) That the person has received or has been promised some~~ 2546
~~valuable reward or consideration for the person's vote;~~ 2547

~~(3) That~~ ground that ~~the person is not affiliated with or~~ 2548
~~is not a member of the~~ political party whose ballot the person 2549
desires to vote. Such party affiliation shall be, as 2550
by examining the elector's voting record for the current year 2551
and the immediately preceding two calendar years as shown on the 2552
voter's registration card, using the standards of affiliation 2553
specified in the seventh paragraph of ~~under~~ section 3513.05 2554
3503.071 of the Revised Code, as of the thirtieth day before the 2555
day of the primary election. Division (A) (3) of this section and 2556
the seventh paragraph of section 3513.05 of the Revised Code do 2557
not prohibit a person who holds an elective office for which 2558
candidates are nominated at a party primary election from doing 2559
any of the following: 2560

~~(a) If the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years, being a candidate for nomination at a party primary held during the times specified in division (C) (2) of section 3513.191 of the Revised Code provided that the person complies with the requirements of that section;~~ 2561
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2564
2565
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2567

~~(b) Circulating the person's own petition of candidacy for party nomination in the primary election.~~ 2568
2569

~~(B) When the right of a person to vote is challenged upon the ground set forth in division (A) (3) of this section, membership in or political affiliation with a political party shall be determined by the person's statement, made under penalty of election falsification, that the person desires to be affiliated with and supports the principles of the political party whose primary ballot the person desires to vote.~~ 2570
2571
2572
2573
2574
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2576

(B) If a majority of the precinct officials finds that the person is not entitled to vote at the primary election, the person shall be permitted to vote a provisional ballot under section 3505.181 of the Revised Code. 2577
2578
2579
2580

Sec. 3513.191. (A) No person shall be a candidate for nomination or election at a party primary if the person ~~voted as a member of a different~~ is not affiliated with that political party at any primary election within the current year and the immediately preceding two calendar years, as determined under section 3503.071 of the Revised Code. 2581
2582
2583
2584
2585
2586

~~(B) Notwithstanding division (A) of this section, either of the following persons may be candidates for nomination of any political party at a party primary:~~ 2587
2588
2589

- ~~(1) A person who does not hold an elective office;~~ 2590
- ~~(2) A person who holds an elective office other than one
for which candidates are nominated at a party primary.~~ 2591
2592
- ~~(C) (1) Notwithstanding division (A) of this section, a A~~ 2593
person who holds an elective office for which candidates are 2594
nominated at a party primary may be a candidate at a primary 2595
election held during the times specified in division (C) (2) of 2596
this section for nomination as a candidate of a political party- 2597
of which the person is prohibited from being a candidate for 2598
nomination under division (A) of this section, other than the 2599
party that most recently nominated the person as a candidate for 2600
the office the person currently holds, only if all of the 2601
following are true: 2602
- (1) The person submits a voter registration update form 2603
reflecting the change of political party affiliation not later 2604
than four p.m. of the thirtieth day before a declaration of 2605
candidacy and petition is required to be filed under section 2606
3513.05 of the Revised Code. 2607
- (2) The person files a declaration of intent to seek the 2608
nomination of ~~that the person's new party and if, by filing the~~ 2609
~~declaration, the person has not violated division (C) (3) of this~~ 2610
section. The declaration of intent shall: 2611
- (a) Be filed not later than four p.m. of the thirtieth day 2612
before a declaration of candidacy and petition is required to be 2613
filed under section 3513.05 of the Revised Code; 2614
- (b) Be filed with the same official with whom the person 2615
filing the declaration of intent is required to file a 2616
declaration of candidacy and petition; 2617
- (c) Indicate the political party whose nomination in the 2618

primary election the person seeks; 2619

(d) Be on a form prescribed by the secretary of state. 2620

(3) The person has not violated division (C) of this 2621
section. 2622

~~(2)~~ (C) (1) No person filing a declaration of intent under 2623
division ~~(C) (1)~~ (B) of this section shall be a candidate at any 2624
primary election for nomination for an elective office for which 2625
candidates are nominated at a party primary during the calendar 2626
year in which the person files the declaration or during the 2627
next calendar year except as a candidate of the party indicated 2628
under division ~~(C) (1) (e)~~ (B) (2) (c) of this section. 2629

~~(3)~~ (2) No person who files a declaration of intent under 2630
division ~~(C) (1)~~ (B) (2) of this section shall file another such 2631
declaration for a period of ten years after the declaration is 2632
filed. 2633

~~(4) Notwithstanding the seventh paragraph of section~~ 2634
~~3513.05 of the Revised Code, a person who complies with this~~ 2635
~~section may circulate that person's own petition of candidacy~~ 2636
~~for party nomination at the party primary at which the person~~ 2637
~~seeks nomination under this section.~~ 2638

Sec. 3513.257. Each person desiring who is not affiliated 2639
with a political party, as determined under section 3503.071 of 2640
the Revised Code, and who desires to become an independent 2641
candidate for an office for which candidates may be nominated at 2642
a primary election, except persons desiring to become 2643
independent joint candidates for the offices of governor and 2644
lieutenant governor and for the offices of president and vice- 2645
president of the United States, shall file no later than four 2646
p.m. of the day before the day of the primary election 2647

immediately preceding the general election at which such 2648
candidacy is to be voted for by the voters, a statement of 2649
candidacy and nominating petition as provided in section 2650
3513.261 of the Revised Code. Persons desiring to become 2651
independent joint candidates for the offices of governor and 2652
lieutenant governor shall file, not later than four p.m. of the 2653
day before the day of the primary election, one statement of 2654
candidacy and one nominating petition for the two of them. 2655
Persons desiring to become independent joint candidates for the 2656
offices of president and vice-president of the United States 2657
shall file, not later than four p.m. of the ninetieth day before 2658
the day of the general election at which the president and vice- 2659
president are to be elected, one statement of candidacy and one 2660
nominating petition for the two of them. The prospective 2661
independent joint candidates' statement of candidacy shall be 2662
filed with the nominating petition as one instrument. 2663

The statement of candidacy and separate petition papers of 2664
each candidate or pair of joint candidates shall be filed at the 2665
same time as one instrument. 2666

The nominating petition shall contain signatures of 2667
qualified electors of the district, political subdivision, or 2668
portion of a political subdivision in which the candidacy is to 2669
be voted on in an amount to be determined as follows: 2670

(A) If the candidacy is to be voted on by electors 2671
throughout the entire state, the nominating petition, including 2672
the nominating petition of independent joint candidates for the 2673
offices of governor and lieutenant governor, shall be signed by 2674
no less than five thousand qualified electors, provided that no 2675
petition shall be accepted for filing if it purports to contain 2676
more than fifteen thousand signatures. 2677

(B) If the candidacy is to be voted on by electors in any district, political subdivision, or part thereof in which less than five thousand electors voted for the office of governor at the most recent election for that office, the nominating petition shall contain signatures of not less than twenty-five qualified electors of the district, political subdivision, or part thereof, or a number of qualified signatures equal to at least five per cent of that vote, if this number is less than twenty-five.

(C) If the candidacy is to be voted on by electors in any district, political subdivision, or part thereof in which five thousand or more electors voted for the office of governor at the most recent election for that office, the nominating petition shall contain a number of signatures equal to at least one per cent of those electors.

All nominating petitions of candidates for offices to be voted on by electors throughout the entire state shall be filed in the office of the secretary of state. No nominating petition for the offices of president and vice-president of the United States shall be accepted for filing unless there is submitted to the secretary of state, at the time of filing the petition, a slate of presidential electors sufficient in number to satisfy the requirement of the United States Constitution. The secretary of state shall not accept for filing the statement of candidacy of a person who desires to be an independent candidate for the office of governor unless it also shows the joint candidacy of a person who desires to be an independent candidate for the office of lieutenant governor, shall not accept for filing the statement of candidacy of a person who desires to be an independent candidate for the office of lieutenant governor unless it also shows the joint candidacy of a person who desires

to be an independent candidate for the office of governor, and 2709
shall not accept for filing the statement of candidacy of a 2710
person who desires to be an independent candidate to the office 2711
of governor or lieutenant governor who, for the same election, 2712
has already filed a declaration of candidacy, a declaration of 2713
intent to be a write-in candidate, or a statement of candidacy, 2714
or has become a candidate by the filling of a vacancy under 2715
section 3513.30 of the Revised Code for any other state office 2716
or any federal or county office. 2717

Nominating petitions of candidates for offices to be voted 2718
on by electors within a district or political subdivision 2719
comprised of more than one county but less than all counties of 2720
the state shall be filed with the boards of elections of that 2721
county or part of a county within the district or political 2722
subdivision which had a population greater than that of any 2723
other county or part of a county within the district or 2724
political subdivision according to the last federal decennial 2725
census. 2726

Nominating petitions for offices to be voted on by 2727
electors within a county or district smaller than a county shall 2728
be filed with the board of elections for such county. 2729

No petition other than the petition of a candidate whose 2730
candidacy is to be considered by electors throughout the entire 2731
state shall be accepted for filing if it appears on its face to 2732
contain more than three times the minimum required number of 2733
signatures. A board of elections shall not accept for filing a 2734
nominating petition of a person seeking to become a candidate if 2735
that person, for the same election, has already filed a 2736
declaration of candidacy, a declaration of intent to be a write- 2737
in candidate, or a nominating petition, or has become a 2738

candidate by the filling of a vacancy under section 3513.30 of 2739
the Revised Code for any federal, state, or county office, if 2740
the nominating petition is for a state or county office, or for 2741
any municipal or township office, for member of a city, local, 2742
or exempted village board of education, or for member of a 2743
governing board of an educational service center, if the 2744
nominating petition is for a municipal or township office, or 2745
for member of a city, local, or exempted village board of 2746
education, or for member of a governing board of an educational 2747
service center. When a petition of a candidate has been accepted 2748
for filing by a board of elections, the petition shall not be 2749
deemed invalid if, upon verification of signatures contained in 2750
the petition, the board of elections finds the number of 2751
signatures accepted exceeds three times the minimum number of 2752
signatures required. A board of elections may discontinue 2753
verifying signatures when the number of verified signatures on a 2754
petition equals the minimum required number of qualified 2755
signatures. 2756

Any candidate, other than a candidate for judge of a 2757
municipal court, county court, or court of common pleas, who 2758
files a nominating petition may request, at the time of filing, 2759
that the candidate be designated on the ballot as a nonparty 2760
candidate or as an other-party candidate, or may request that 2761
the candidate's name be placed on the ballot without any 2762
designation. Any such candidate who fails to request a 2763
designation either as a nonparty candidate or as an other-party 2764
candidate shall have the candidate's name placed on the ballot 2765
without any designation. 2766

The purpose of establishing a filing deadline for 2767
independent candidates prior to the primary election immediately 2768
preceding the general election at which the candidacy is to be 2769

voted on by the voters is to recognize that the state has a 2770
substantial and compelling interest in protecting its electoral 2771
process by encouraging political stability, ensuring that the 2772
winner of the election will represent a majority of the 2773
community, providing the electorate with an understandable 2774
ballot, and enhancing voter education, thus fostering informed 2775
and educated expressions of the popular will in a general 2776
election. The filing deadline for independent candidates 2777
required in this section prevents splintered parties and 2778
unrestrained factionalism, avoids political fragmentation, and 2779
maintains the integrity of the ballot. The deadline, one day 2780
prior to the primary election, is the least drastic or 2781
restrictive means of protecting these state interests. The 2782
general assembly finds that the filing deadline for independent 2783
candidates in primary elections required in this section is 2784
reasonably related to the state's purpose of ensuring fair and 2785
honest elections while leaving unimpaired the political, voting, 2786
and associational rights secured by the first and fourteenth 2787
amendments to the United States Constitution. 2788

Sec. 3517.012. (A) (1) When a party formation petition 2789
meeting the requirements of section 3517.01 of the Revised Code 2790
declaring the intention to organize a political party is filed 2791
with the secretary of state, the new party comes into legal 2792
existence on the date of filing and is entitled to nominate 2793
candidates to appear on the ballot at the general election held 2794
in even-numbered years that occurs more than one hundred twenty- 2795
five days after the date of filing. 2796

(2) (a) Upon receiving a party formation petition filed 2797
under division (A) (1) of this section, the secretary of state 2798
shall promptly transmit to each board of elections the separate 2799
petition papers that purport to contain signatures of electors 2800

of that board's county. 2801

(b) Not later than the one hundred eighteenth day before 2802
the day of the general election, each board shall examine and 2803
determine the sufficiency of the signatures on the petition 2804
papers and shall return them to the secretary of state, together 2805
with the board's certification of its determination as to the 2806
validity or invalidity of the signatures on the petition. 2807

(c) Any qualified elector may file a written protest 2808
against the petition with the secretary of state not later than 2809
the one hundred fourteenth day before the day of the general 2810
election. Any such protest shall be resolved in the manner 2811
specified under section 3501.39 of the Revised Code. 2812

(d) Not later than the ninety-fifth day before the day of 2813
the general election, the secretary of state shall determine 2814
whether the party formation petition is sufficient and shall 2815
notify the committee designated in the petition of that 2816
determination. 2817

(B) (1) Not later than one hundred ten days before the day 2818
of that general election and not earlier than the day the 2819
applicable party formation petition is filed, each candidate or 2820
pair of joint candidates wishing to appear on the ballot at the 2821
general election as the nominee or nominees of the party that 2822
filed the party formation petition shall file a nominating 2823
petition, on a form prescribed by the secretary of state, that 2824
includes the name of the political party that submitted the 2825
party formation petition. Except as otherwise provided in this 2826
section and sections 3505.03, 3505.08, 3506.11, 3513.31, 2827
3513.311, and 3513.312 of the Revised Code, the provisions of 2828
the Revised Code concerning independent candidates who file 2829
nominating petitions apply to candidates who file nominating 2830

petitions under this section. 2831

(2) (a) If the candidacy is to be submitted to electors 2832
throughout the entire state, the nominating petition, including 2833
a petition for joint candidates for the offices of governor and 2834
lieutenant governor, shall be signed by at least fifty qualified 2835
electors who ~~have not voted as a member of~~ are not affiliated 2836
with a different political party at any primary election within 2837
~~the current year or the immediately preceding two calendar~~ 2838
~~years,~~ as determined under section 3503.071 of the Revised Code. 2839

(b) ~~Except as otherwise provided in this division, if~~ If 2840
the candidacy is to be submitted only to electors within a 2841
district, political subdivision, or portion thereof, the 2842
nominating petition shall be signed by not less than five 2843
qualified electors who ~~have not voted as a member of~~ are not 2844
affiliated with a different political party at any primary 2845
~~election within the current year or the immediately preceding~~ 2846
~~two calendar years,~~ as determined under section 3503.071 of the 2847
Revised Code. 2848

(3) (a) Each board of elections that is responsible to 2849
verify signatures on the nominating petition shall examine and 2850
determine the sufficiency of those signatures not later than the 2851
one hundred fifth day before the day of the general election ~~and~~ 2852
~~shall be resolved as specified in that section.~~ 2853

(b) Written protests against the petition may be filed in 2854
the manner specified under section 3513.263 of the Revised Code 2855
not later than the one hundredth day before the general election 2856
and shall be resolved as specified in that section. 2857

(c) Not later than the ninety-fifth day before the day of 2858
the general election, the secretary of state or the board of 2859

elections, as applicable, shall determine whether the nominating 2860
petition is sufficient and shall notify the candidate and the 2861
committee designated in the party formation petition of that 2862
determination. 2863

(C) (1) After being notified that the political party has 2864
submitted a sufficient party formation petition under division 2865
(A) of this section, the committee designated in a party 2866
formation petition shall, not later than the seventy-fifth day 2867
before the day of the general election, certify to the secretary 2868
of state a slate of candidates consisting of candidates or joint 2869
candidates who submitted sufficient nominating petitions under 2870
division (B) of this section. The slate certifying the 2871
candidates shall be on a form prescribed by the secretary of 2872
state and signed by all of the individuals of the committee 2873
designated in the party formation petition. In no event shall 2874
the slate of candidates include more than one candidate for any 2875
public office or more than one set of joint candidates for the 2876
offices of governor and lieutenant governor. The names of the 2877
candidates or joint candidates so certified shall appear on the 2878
ballot at the general election as that party's nominees for 2879
those offices. For purposes of this division, "joint candidates" 2880
means the joint candidates for the offices of governor and 2881
lieutenant governor. 2882

(2) If a candidate's nominating petition is insufficient 2883
or if the committee does not certify the candidate's name under 2884
division (C) (1) of this section, the candidate shall not appear 2885
on the ballot in the general election. 2886

(3) If a party formation petition is insufficient, no 2887
candidate shall appear on the ballot in the general election as 2888
that political party's nominee, regardless of whether any 2889

candidate's nominating petition is sufficient. 2890

Sec. 3517.013. ~~Section~~ Division (B) of section 3513.191 of 2891
the Revised Code does not apply to persons desiring to become 2892
candidates for party nomination of a newly formed political 2893
party meeting the requirements of sections 3517.011 and 3517.012 2894
of the Revised Code for a period of four calendar years from the 2895
date of the party formation. 2896

Sec. 3599.12. (A) No person shall do any of the following: 2897

(1) Vote or attempt to vote in any primary, special, or 2898
general election in a precinct in which that person is not a 2899
legally qualified elector; 2900

(2) Vote or attempt to vote more than once at the same 2901
election by any means, including voting or attempting to vote 2902
both by absent voter's ballots under division ~~(G)~~ (E) of section 2903
3503.16 of the Revised Code and by regular ballot at the polls 2904
at the same election, or voting or attempting to vote both by 2905
absent voter's ballots under division ~~(G)~~ (E) of section 3503.16 2906
of the Revised Code and by absent voter's ballots under Chapter 2907
3509. or armed service absent voter's ballots under Chapter 2908
3511. of the Revised Code at the same election; 2909

(3) Impersonate or sign the name of another person, real 2910
or fictitious, living or dead, and vote or attempt to vote as 2911
that other person in any such election; 2912

(4) Cast a ballot at any such election after objection has 2913
been made and sustained to that person's vote; 2914

(5) Knowingly vote or attempt to vote a ballot other than 2915
the official ballot. 2916

(B) Whoever violates division (A) of this section is 2917

guilty of a felony of the fourth degree. 2918

Section 2. That existing sections 3501.01, 3503.09, 2919
3503.10, 3503.11, 3503.14, 3503.15, 3503.151, 3503.152, 2920
3503.153, 3503.16, 3503.19, 3503.20, 3503.23, 3503.28, 3505.181, 2921
3509.02, 3509.04, 3509.07, 3509.08, 3513.041, 3513.05, 3513.07, 2922
3513.18, 3513.19, 3513.191, 3513.257, 3517.012, 3517.013, and 2923
3599.12 of the Revised Code are hereby repealed. 2924

Section 3. That sections 3513.192 and 3513.20 of the 2925
Revised Code are hereby repealed. 2926