

AN ACT

To amend sections 3501.01, 3503.13, 3503.151, 3503.152, 3503.18, 3503.19, 3503.21, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3509.05, and 3517.14 and to enact section 3503.201 of the Revised Code to modify the law governing voter roll maintenance, provisional voting, the return of absent voter's ballots, and the membership of the Ohio Election Integrity Commission.

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

SECTION 1. That sections 3501.01, 3503.13, 3503.151, 3503.152, 3503.18, 3503.19, 3503.21, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3509.05, and 3517.14 be amended and section 3503.201 of the Revised Code be enacted to read as follows:

Sec. 3501.01. As used in the sections of the Revised Code relating to elections and political communications:

(A) "General election" means the election held on the first Tuesday after the first Monday in each November.

(B) "Regular municipal election" means the election held on the first Tuesday after the first Monday in November in each odd-numbered year.

(C) "Regular state election" means the election held on the first Tuesday after the first Monday in November in each even-numbered year.

(D) "Special election" means any election other than those elections defined in other divisions of this section. A special election may be held only on the first Tuesday after the first Monday in May or November, on the first Tuesday after the first Monday in August in accordance with section 3501.022 of the Revised Code, or on the day authorized by a particular municipal or county charter for the holding of a primary election, except that in any year in which a presidential primary election is held, no special election shall be held in May, except as authorized by a municipal or county charter, but may be held on the third Tuesday after the first Monday in March.

(E)(1) "Primary" or "primary election" means an election held for the purpose of nominating persons as candidates of political parties for election to offices, and for the purpose of electing persons as members of the controlling committees of political parties and as delegates and alternates to the conventions of political parties. Primary elections shall be held on the first Tuesday after the first Monday in May of each year except in years in which a presidential primary election is held.

(2) "Presidential primary election" means a primary election as defined by division (E)(1) of this section at which an election is held for the purpose of choosing delegates and alternates to the national conventions of the major political parties pursuant to section 3513.12 of the Revised Code.

Unless otherwise specified, presidential primary elections are included in references to primary elections. In years in which a presidential primary election is held, all primary elections shall be held on the third Tuesday after the first Monday in March except as otherwise authorized by a municipal or county charter.

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

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

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

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

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

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

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

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

(I) "Independent candidate" means any candidate who claims not to be affiliated with a political party, and whose name has been certified on the office-type ballot at a general or special election through the filing of a statement of candidacy and nominating petition, as prescribed in section 3513.257 of the Revised Code.

(J) "Nonpartisan candidate" means any candidate whose name is required, pursuant to section 3505.04 of the Revised Code, to be listed on the nonpartisan ballot, including all candidates

for judge of a municipal court, county court, or court of common pleas, for member of any board of education, for municipal or township offices in which primary elections are not held for nominating candidates by political parties, and for offices of municipal corporations having charters that provide for separate ballots for elections for these offices.

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

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

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

(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.

(O) "Voter" means an elector who votes at an election.

(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.

(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.

(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.

(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.

(T) "Political subdivision" means a county, township, city, village, or school district.

(U) "Election officer" or "election official" means any of the following:

(1) Secretary of state;

(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;

(3) Director of a board of elections;

(4) Deputy director of a board of elections;

(5) Member of a board of elections;

(6) Employees of a board of elections;

(7) Precinct election officials;

(8) Employees appointed by the boards of elections on a temporary or part-time basis.

(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.

(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, date of birth, or United States citizenship, the number of the elector's Ohio driver's license or state identification card, the last four digits of the elector's social security number, or any other information required for registration. The notice shall be sent by forwardable mail, shall be accompanied by a postage prepaid, preaddressed return envelope containing a form on which the elector may verify or correct the elector's registration, and shall meet the requirements of the National Voter Registration Act of 1993.

(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~~ behavioral health, the department of developmental disabilities, the opportunities for 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 4507. of the Revised Code that authorizes an individual to drive. "Driver's license" includes a driver's license, commercial driver's license, probationary license, restricted license, motorcycle operator's license, or temporary instruction permit identification card. "Driver's license" does not include a limited term license issued under section 4506.14 or 4507.09 of the Revised Code.

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

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

(EE)(1) "Proof of citizenship" means evidence that an individual is a United States citizen, in the form of one of the following:

(a) The number of the individual's current Ohio driver's license or state identification card, if the secretary of state verifies using information obtained from the bureau of motor vehicles that the individual has submitted documentation to the bureau that indicates that the individual is a United States citizen;

(b) The individual's current Ohio driver's license, state identification card, or interim identification form issued on or after April 7, 2023, or a copy of the front and back of that license, card, or form, if the license, card, or form does not include a notation designating that the individual is a noncitizen of the United States;

(c) The individual's birth certificate, certification of report of birth, or consular report of birth abroad, or a copy of one of those documents;

(d) The individual's current United States passport or passport card, a copy of the identification page of the passport, or a copy of the front and back of the passport card;

(e) The individual's certificate of naturalization or certificate of citizenship or a copy of one of those documents;

(f) The individual's I-797 notice of action for form N-565, application for replacement naturalization/citizenship document issued by United States citizenship and immigration services, if the notice indicates that the application has been approved; a copy of that notice; or an original or copy of the successor form of that notice issued by the federal agency that is responsible for fulfilling requests for replacement naturalization or citizenship documents.

(2) If an individual's current legal name is different from the name on the individual's proof of citizenship, the individual also shall provide proof of the change of name, such as a copy of a marriage license or court order.

Sec. 3503.13. (A)(1) Except as otherwise provided in division (A)(2) of this section, voter registration forms submitted by applicants and the statewide voter registration database established under section 3503.15 of the Revised Code are public records subject to disclosure under section 149.43 of the Revised Code.

(2) None of the following are subject to disclosure under division (A)(1) of this section:

(a) An elector's full or partial social security number, driver's license or state identification card number, telephone number, or electronic mail address;

(b) A confidential voter registration record, as described in section 111.44 of the Revised Code;

(c) The address of a designated public service worker, if the designated public service worker has submitted a redaction request to the board of elections under section 149.45 of the Revised Code;

(d) An elector's proof of citizenship;

(e) Any other information that is prohibited from being disclosed by state or federal law.

(B) A board of elections may use a legible digitized signature list of voter signatures, copied from the signatures on the registration forms in a form and manner prescribed by the secretary of state, provided that the board includes the required voter registration information in the statewide voter registration database established under section 3503.15 of the Revised Code, and provided that the precinct election officials have computer printouts at the polls prepared in the manner required under section 3503.23 of the Revised Code.

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.

(B)(1) State agencies, including, but not limited to, the department of health, the bureau of motor vehicles, the department of job and family services, the department of medicaid, and the department of rehabilitation and corrections, shall provide any information and data to the secretary of state that is collected in the course of normal business and that is necessary to register to vote, to update an elector's registration, or to maintain the statewide voter registration database, except where prohibited by federal law or regulation. The department of health, the bureau of motor vehicles, the department of job and family services, the department of medicaid, and the department of rehabilitation and corrections shall provide that information and data to the secretary of state not later than the last day of each month. The secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the entity providing the data remains confidential while in the possession of the secretary of state. No public office, and no public official or employee, shall sell that information or data or use that information or data for profit.

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

(C)(1) The secretary of state shall enter into agreements to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database. Except as otherwise provided in division (C)(2) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.

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

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

(D) The secretary of state shall regularly transmit to the boards of elections, to the extent permitted by state and federal law, the information and data the secretary of state receives under divisions (B) and (C) of this section that is necessary to do the following, in order to ensure that the accuracy of the statewide voter registration database is maintained on a regular basis in accordance with applicable state and federal law:

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

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

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

~~(E)(1)~~ (E) The secretary of state shall use the information in the statewide voter registration database and the databases of the bureau of motor vehicles and the United States social security administration to provide information to each board of elections that identifies each voter registration record in the county in which the elector's date of birth or Ohio driver's license or state identification card number or the last four digits of the elector's social security number does not match the information in the database of the bureau of motor vehicles or the United States social security administration for purposes of section 3503.201 of the Revised Code.

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

(2) Information provided under division (B) or (C) of this section for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.

(3) ~~A~~ Except as otherwise provided in section 3503.201 of the Revised Code, a board of elections shall contact a registered elector pursuant to the rules adopted under division ~~(E)(1)~~ (F)(1) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (B) or (C) of this section and the discrepancy would affect the elector's eligibility to cast a regular ballot.

Sec. 3503.152. (A) The secretary of state shall conduct ~~an annual review~~ reviews of the statewide voter registration database on at least a monthly basis to identify persons who ~~appear are not to be~~ United States citizens, as follows by consulting the following sources:

~~(A) The secretary of state shall compare the information in the statewide voter registration database with the information~~ (1) Information the secretary of state obtains from the bureau of motor vehicles under section 3503.151 of the Revised Code ~~to identify any person who does all of the following, in the following order:~~

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

~~(2) Registers to vote, submits a voter registration change of residence or change of name form, or votes in this state;~~

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

(2) The systematic alien verification for entitlements (SAVE) program, or its successor program, operated by the United States department of homeland security or its successor agency.

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

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

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

~~(E) If a person who is sent a second notice under division (B) of this section fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the second notice is sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice is sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation.~~

~~(F) The secretary of state shall not conduct the review described in this section during the ninety days immediately preceding a primary or general election for federal office. Following each review conducted under this section, the secretary of state shall do both of the following:~~

~~(1) Send a report to each board of elections of each person in the county who, according to the databases described in division (A) of this section, is not a United States citizen. The board promptly shall cancel the person's voter registration in accordance with section 3503.21 of the Revised Code.~~

~~(2) Direct the election integrity unit to conduct a further investigation regarding each such person under section 3501.055 of the Revised Code.~~

Sec. 3503.18. (A)(1) Not later than the last day of each month, the director of health shall file with the secretary of state the names, social security numbers, dates of birth, dates of death, and residences of all persons, over eighteen years of age, who have died within this state or another state during the period beginning on the date of the most recent filing and ending on the day before the date of the current filing. If the director is notified of the death of such a person after the director has filed the report for the period during which the person died, the director shall file with the secretary

of state a supplemental report containing that information concerning the person not later than one month after the director is notified of the person's death.

(2) The secretary of state and the director of health shall jointly establish a secure electronic system through which they shall exchange the information described in division (A)(1) of this section regarding the death of a registered elector.

(B) The secretary of state shall prepare and transmit a monthly report to each board of elections that identifies each registered elector in the county who has died, based on information the secretary of state receives from the United States social security administration, from the systematic alien verification for entitlements (SAVE) program, or its successor program, operated by the United States department of homeland security or its successor agency, or from the state and territorial exchange of vital events (STEVE) administered by the national association for public health statistics and information systems.

(C) At least once each month, each probate judge in this state shall file with the board of elections the names and residence addresses of all persons over eighteen years of age who have been adjudicated incompetent for the purpose of voting, as provided in section 5122.301 of the Revised Code.

~~(C)-(D)~~ At least once each month the clerk of the court of common pleas shall file with the board the names and residence addresses of all persons who have been convicted during the previous month of crimes that would disfranchise such persons under existing laws of the state. Reports of conviction of crimes under the laws of the United States that would disfranchise an elector and that are provided to the secretary of state by any United States attorney shall be forwarded by the secretary of state to the appropriate board of elections.

~~(D)-(E)~~ Upon receiving a report required by this section, the board of elections shall promptly cancel the registration of each elector named in the report in accordance with section 3503.21 of the Revised Code. If the report contains a residence address of an elector in a county other than the county in which the board of elections is located, the director shall promptly send a copy of the report to the appropriate board of elections, which shall cancel the registration in accordance with that section.

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

Any state or local office of a designated agency, a public high school or vocational school, a

public library, or the office of a county treasurer shall transmit any voter registration application or change of registration form that it receives to the board of elections of the county in which the state or local office is located, within five days after receiving the voter registration application or change of registration form. The office of the registrar or any deputy registrar of motor vehicles shall transmit any electronic voter registration application or change of registration that it receives to the secretary of state within twenty-four hours after receiving it, and shall transmit any paper voter registration application or change of registration form that it receives to the board of elections of the county in which the office of the registrar or deputy registrar is located within five days after receiving the voter registration application or change of registration form, as required under section 3503.11 of the Revised Code.

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

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

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

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

(2)(a) An applicant may return the applicant's completed registration form in person or by mail to any state or local office of a designated agency, to a public high school or vocational school, to a public library, to the office of a county treasurer, to the office of the secretary of state, or to the

office of a board of elections. An applicant who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 also may return the applicant's completed voter registration form electronically to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located pursuant to section 3503.191 of the Revised Code.

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

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

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

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

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

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

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

(2) If, after investigating as required under division (C)(1) of this section, the board is unable to verify the voter's correct address, it shall ~~cause the voter's name in the official registration list and in the poll list or signature pollbook to be marked to indicate that the voter's notification was returned to the board~~ proceed under section 3503.201 of the Revised Code.

~~At the first election at which a voter whose name has been so marked appears to vote, the voter shall be required to vote by provisional ballot under section 3505.181 of the Revised Code. If~~

~~the provisional ballot is counted pursuant to division (B)(3) of section 3505.183 of the Revised Code, the board shall correct that voter's registration, if needed, and shall remove the indication that the voter's notification was returned from that voter's name on the official registration list and on the poll list or signature pollbook. If the provisional ballot is not counted pursuant to division (B)(4)(a) (i), (v), or (vi) of section 3505.183 of the Revised Code, the voter's registration shall be canceled. The board shall notify the voter by United States mail of the cancellation.~~

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

Sec. 3503.201. (A)(1) When either of the following occur, the board of elections shall send the elector a confirmation notice and, if the board's records are not already so marked, shall mark the elector's registration record, the official registration list, and the poll list or signature pollbook to indicate that the elector must vote by provisional ballot and the reason the elector must do so:

(a) The board determines that it is unable to verify an elector's residence address, as described in division (C)(2) of section 3503.19 of the Revised Code.

(b) The board receives information from the secretary of state under division (E) of section 3503.151 of the Revised Code indicating that the board must verify the elector's date of birth or Ohio driver's license or state identification card number or the last four digits of the elector's social security number.

(2) A confirmation notice sent to an elector under division (A)(1) of this section shall include both of the following:

(a) The information the board must verify;

(b) The manner in which the elector may provide the required information to the board before the elector next appears to vote, as described in division (B) of this section, or when casting a provisional ballot, as described in division (D) of this section.

(B) An elector whose registration record has been marked under division (A) of this section to indicate that the elector must cast a provisional ballot is not required to cast a provisional ballot if, before the elector next appears to vote, the elector does the following, as applicable:

(1) Provides a valid residence address to the board, if the board must verify the elector's residence address;

(2) Provides the necessary information or documentation to the board to rectify any identified mismatch between the elector's registration record and the elector's date of birth or Ohio driver's license or state identification card number or the last four digits of the elector's social security number in the database of the bureau of motor vehicles or the United States social security

administration.

(C) When the board has verified all of the information the board is required to verify concerning an elector under division (B) of this section, the board shall correct or update the elector's registration, as applicable, and shall remove the indication that the elector must vote by provisional ballot. The board shall not remove a provisional ballot indication until every piece of information that must be verified concerning the elector has been verified.

(D)(1) Except as otherwise provided in division (B) of this section, at the first election at which an elector whose registration record is marked to indicate that the elector must vote by provisional ballot under this section appears to vote, the elector shall vote by provisional ballot.

(2) In order for the elector's provisional ballot to be eligible to be counted, in addition to meeting all other requirements described in division (B)(3) of section 3505.183 of the Revised Code, the elector shall provide the applicable required information as described in division (B) of this section on or attached to the provisional ballot affirmation, or shall appear in person at the office of the board within four days after the day of the election and provide that information.

(3) If the elector's provisional ballot is counted pursuant to division (B)(3) of section 3505.183 of the Revised Code and division (D)(2) of this section, the board shall correct or update the elector's registration, as applicable, and shall remove the indication that the elector must vote by provisional ballot.

(4) If the provisional ballot is not counted pursuant to division (B)(4)(a)(i), (v), or (vi) of section 3505.183 of the Revised Code or division (D)(2) of this section, the board shall cancel the elector's registration in accordance with section 3503.21 of the Revised Code.

Sec. 3503.21. (A) The registration of a registered elector shall be canceled upon the occurrence of any of the following:

(1) The filing by a registered elector of a written request with a board of elections or the secretary of state, on a form prescribed by the secretary of state and signed by the elector, that the registration be canceled. The filing of such a request does not prohibit an otherwise qualified elector from reregistering to vote at any time.

(2) The filing of a notice of the death of a registered elector as provided in section 3503.18 of the Revised Code;

(3) The filing with the board of elections of a certified copy of the death certificate of a registered elector by the deceased elector's spouse, parent, or child, by the administrator of the deceased elector's estate, or by the executor of the deceased elector's will;

(4) The conviction of the registered elector of a felony under the laws of this state, any other state, or the United States as provided in section 2961.01 of the Revised Code;

(5) The adjudication of incompetency of the registered elector for the purpose of voting as provided in section 5122.301 of the Revised Code;

(6) The change of residence of the registered elector to a location outside the county of registration in accordance with division (B) of this section;

(7) The failure of the registered elector, after having been mailed a confirmation notice, to do either of the following:

(a) Respond to such a notice and vote at least once during a period of four consecutive years, which period shall include two general federal elections;

(b) Update the elector's registration and vote at least once during a period of four consecutive years, which period shall include two general federal elections.

(8) The receipt by the board of elections of a cancellation notice or request pursuant to section 111.44 of the Revised Code;

(9) The receipt by the board of elections of a report from the secretary of state indicating that the person is not a United States citizen, as described in division (B)(1) of section 3503.152 of the Revised Code;

(10) The circumstances described in division (D)(4) of section 3503.201 of the Revised Code;

(11) The circumstances described in section 111.44 of the Revised Code;

(12) The circumstances described in division (Q) of section 3501.05 of the Revised Code;

(13) The circumstances described in division (C) of section 3503.24 of the Revised Code;

(14) The determination by the board of elections that the elector is a fictitious person;

(15) The determination by the board of elections that the registration is a duplicate.

(B)(1) The secretary of state shall prescribe procedures to identify and cancel the registration in a prior county of residence of any registrant who changes the registrant's voting residence to a location outside the registrant's current county of registration. Any procedures prescribed in this division shall be uniform and nondiscriminatory, and shall comply with the Voting Rights Act of 1965. The secretary of state may prescribe procedures under this division that include the use of the national change of address service provided by the United States postal system through its licensees. Any program so prescribed shall be completed not later than ninety days prior to the date of any primary or general election for federal office.

(2) The registration of any elector identified as having changed the elector's voting residence to a location outside the elector's current county of registration shall not be canceled unless the registrant is sent a confirmation notice on a form prescribed by the secretary of state and the registrant fails to respond to the confirmation notice or otherwise update the registration and fails to vote in any election during the period of two federal elections subsequent to the mailing of the confirmation notice.

(C) The registration of a registered elector shall not be canceled except as provided in this section, ~~section 111.44 of the Revised Code, division (Q) of section 3501.05 of the Revised Code, division (C)(2) of section 3503.19 of the Revised Code, or division (C) of section 3503.24 of the Revised Code.~~

(D) Boards of elections shall send their voter registration information to the secretary of state as required under section 3503.15 of the Revised Code. The secretary of state may prescribe by rule

adopted pursuant to section 111.15 of the Revised Code the format in which the boards of elections must send that information to the secretary of state. In the first quarter of each year, the secretary of state shall send the information to the national change of address service described in division (B) of this section and request that service to provide the secretary of state with a list of any voters sent by the secretary of state who have moved within the last twelve months. The secretary of state shall transmit to each appropriate board of elections whatever lists the secretary of state receives from that service. The board shall send a notice to each person on the list transmitted by the secretary of state requesting confirmation of the person's change of address, together with a postage prepaid, preaddressed return envelope containing a form on which the voter may verify or correct the change of address information.

(E) The registration of a registered elector described in division (A)(7) or (B)(2) of this section shall be canceled not later than one hundred twenty days after the date of the second general federal election in which the elector fails to vote or not later than one hundred twenty days after the expiration of the four-year period in which the elector fails to vote or respond to a confirmation notice, whichever is later.

(F)(1) When a registration is canceled pursuant to ~~division (A)(2) or (3) of this section~~, the applicable board of elections shall send a written notice, on a form prescribed by the secretary of state, to the address at which the elector was registered, informing the recipient that the elector's registration has been canceled, of the reason for the cancellation, and that if the cancellation was made in error, the elector may contact the board of elections to correct the error.

(2) If the elector's registration is canceled ~~pursuant to division (A)(2) or (3) of this section~~ in error, it shall be restored and treated as though it were never canceled.

Sec. 3505.18. (A)(1) When an elector appears in a polling place to vote, the elector shall announce to the precinct election officials the elector's full name and current address and provide photo identification.

(2) If an elector does not have or is unable to provide photo identification to the precinct election officials, the elector may cast a provisional ballot under section 3505.181 of the Revised Code.

(3) If the elector provides photo identification in the form of the elector's Ohio driver's license, state identification card, or interim identification form and the photo identification includes a notation designating that the individual is a noncitizen of the United States, the election officials shall challenge the elector's right to vote under division (A) of section 3505.20 of the Revised Code.

(B) After the elector has announced the elector's full name and current address and provided photo identification, the elector shall confirm the elector's name and address by signing the elector's name at the proper place in the poll list or signature pollbook provided for the purpose, except that if, for any reason, an elector is unable to sign the elector's name in the poll list or signature pollbook, the elector may make the elector's mark at the place intended for the elector's name, and a precinct election official shall write the name of the elector at the proper place on the poll list or signature

pollbook following the elector's mark. The making of such a mark shall be attested by the precinct election official, who shall evidence the same by signing the precinct election official's name on the poll list or signature pollbook as a witness to the mark. Alternatively, if applicable, an attorney in fact acting pursuant to section 3501.382 of the Revised Code may sign the elector's signature in the poll list or signature pollbook in accordance with that section.

The elector's signature in the poll list or signature pollbook then shall be compared with the elector's signature on the elector's registration form or a digitized signature list as provided for in section 3503.13 of the Revised Code, and if, in the opinion of a majority of the precinct election officials, the signatures are the signatures of the same person, the election officials shall enter the date of the election on the registration form or shall record the date by other means prescribed by the secretary of state. The validity of an attorney in fact's signature on behalf of an elector shall be determined in accordance with section 3501.382 of the Revised Code.

If the right of the elector to vote is not then challenged, or, if being challenged, the elector establishes the elector's right to vote, the elector shall be allowed to proceed to use the voting machine. If voting machines are not being used in that precinct, the precinct election official in charge of ballots shall then detach the next ballots to be issued to the elector from Stub B attached to each ballot, leaving Stub A attached to each ballot, hand the ballots to the elector, and call the elector's name and the stub number on each of the ballots. The precinct election official shall enter the stub numbers opposite the signature of the elector in the pollbook. The elector shall then retire to one of the voting compartments to mark the elector's ballots. No mark shall be made on any ballot which would in any way enable any person to identify the person who voted the ballot.

Sec. 3505.181. (A) All of the following individuals shall be permitted to cast a provisional ballot at an election:

(1) An individual who declares that the individual is a registered voter in the precinct in which the individual desires to vote and that the individual is eligible to vote in an election, but the name of the individual does not appear on the official list of eligible voters for the precinct or an election official asserts that the individual is not eligible to vote;

(2) An individual who does not have or is unable to provide photo identification to the election officials;

(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;

(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~~ 3503.201 of the Revised Code;

(5) An individual who has been successfully challenged under section 3505.20 or 3513.20 of the Revised Code;

(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;

(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.

(B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to cast a provisional ballot as follows:

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

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

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

(b) Eligible to vote in that election.

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

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

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

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

The appropriate state or local election official shall establish and maintain reasonable

procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under this division. The system shall permit an individual only to gain access to information about the individual's own provisional ballot.

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

(7)(a) For a provisional ballot to be eligible to be counted when it is cast by an individual who does not have photo identification because the individual has a religious objection to being photographed, the individual shall complete an affidavit of religious objection under section 3505.19 of the Revised Code. The election officials shall attach the affidavit to the individual's provisional ballot envelope. If the individual does not complete the affidavit at the time of casting the provisional ballot, the individual may appear at the office of the board of elections within four days after the day of the election and complete the affidavit.

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

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

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

(E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code:

(1) "Precinct voting location guide" means either of the following:

- (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;
- (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.

(2) "Voting information" means all of the following:

- (a) A sample version of the ballot that will be used for that election;
- (b) Information regarding the date of the election and the hours during which polling places will be open;
- (c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;
- (d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;
- (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 to have been violated;
- (f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.

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

receive assistance on the day of an election under that section.

Sec. 3505.182. Each individual who casts a provisional ballot under section 3505.181 of the Revised Code shall execute a written affirmation. The form of the written affirmation shall be printed upon the face of the provisional ballot envelope and shall be as follows:

"Provisional Ballot Affirmation

(A) Clearly print your full name: _____

(B) Write your date of birth: _____

(C)(1) Write your current address: _____

(2) Have you moved without updating your voter registration?:

Yes _____ No _____

If yes, write your former address: _____

Failure to provide your former address will not cause your provisional ballot to be rejected.

(D)(1) You must show photo identification to the election official that includes your name and photograph and is not expired. Check the type of photo identification you provided:

_____ An Ohio driver's license or state identification card or an interim identification form issued by the Bureau of Motor Vehicles. If you showed your Ohio driver's license or state identification card or an interim identification form, write your full driver's license or state identification card number: _____

_____ A United States passport or passport card;

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

(2) If you do not have photo identification because you have a religious objection to being photographed, complete an affidavit of religious objection. The precinct election official will attach it to the provisional ballot envelope.

(3) If you did not show photo identification to the election official or complete an affidavit of religious objection, you must appear at the office of the board of elections during the four days after the election and provide photo identification or complete an affidavit of religious objection for your vote to be eligible to be counted.

(4) ~~If Complete this section if you need to update your voter registration, you may provide additional information below. This information will not be used for ballot counting purposes or if you need to verify the identification you used to register to vote. If you need to verify your identification and you do not provide the needed information on this form, you must provide the information to the board of elections on or before the fourth day following this election in order for your ballot to be eligible to be counted.~~

Write your full Ohio driver's license or state identification card number:

Write the last four digits of your Social Security number: _____

(5) If you are casting a provisional ballot because you need to provide proof of citizenship, you must do one of the following for your ballot to be eligible to be counted:

(a) If you have already provided proof of citizenship to the Bureau of Motor Vehicles, write your full Ohio driver's license or state identification card number above.

(b) Provide proof of citizenship to the board of elections on or before the fourth day following this election.

(E) If your right to vote has been challenged, you must provide any required additional information to the board of elections on or before the ~~seventh~~ fourth day following this election.

(F) Sign and date the following statement:

I solemnly swear or affirm that I am a citizen of the United States; that I will be at least 18 years of age at the time of the general election; that I have lived in this state for 30 days immediately preceding this election in which I am voting this ballot; that I am a registered voter in the precinct in which I am voting this provisional ballot; and that I am eligible to vote in the election in which I am voting this provisional ballot.

I understand that, if the information I provide on this provisional ballot affirmation is not fully completed and correct, if the board of elections determines that I am not registered to vote, a resident of this precinct, or eligible to vote in this election, or if the board of elections determines that I have already voted in this election, my provisional ballot will not be counted. I understand that, if I am not currently registered to vote or if I am not registered at my current address or under my current name, this form will serve as an application to register to vote or update my registration for future elections, as long as I provide all of the information required to register to vote or update my registration. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

I hereby declare, under penalty of election falsification, that the above statements are true and correct to the best of my knowledge and belief.

Signature of Voter

Date

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

In the case of an individual who is casting a provisional ballot because the individual needs to provide proof of citizenship, the election officials shall provide the individual with a copy of a list of the documents that qualify as proof of citizenship.

In addition to any information required to be included on the written affirmation, an individual casting a provisional ballot may provide additional information to the election official to assist the board of elections in determining the individual's eligibility to vote in that election, including the date and location at which the individual registered to vote, if known.

If the individual provided all of the information required under section 3503.14 of the Revised Code to register to vote or to update the individual's registration on the provisional ballot affirmation, the board of elections shall consider the individual's provisional ballot affirmation to also serve as a notice of change of name, change of residence, or both, or as a voter registration form, as applicable, for that individual only for the purposes of future elections.

Sec. 3505.183. (A) When the ballot boxes are delivered to the board of elections from the precincts, the board shall separate the provisional ballot envelopes from the rest of the ballots. Teams of employees of the board consisting of one member of each major political party shall place the sealed provisional ballot envelopes in a secure location within the office of the board. The sealed provisional ballot envelopes shall remain in that secure location until the validity of those ballots is determined under division (B) of this section. While the provisional ballot is stored in that secure location, and prior to the counting of the provisional ballots, if the board receives information regarding the validity of a specific provisional ballot under division (B) of this section, the board may note, on the sealed provisional ballot envelope for that ballot, whether the ballot is valid and entitled to be counted.

(B)(1) To determine whether a provisional ballot is valid and entitled to be counted, the board shall examine its records and determine whether the individual who cast the provisional ballot is registered and eligible to vote in the applicable election. The board shall examine the information contained in the written affirmation executed by the individual who cast the provisional ballot under division (B)(2) of section 3505.181 of the Revised Code. The following information shall be included in the written affirmation in order for the provisional ballot to be eligible to be counted:

- (a) The individual's printed name, signature, date of birth, and current address;
- (b) A statement that the individual is a registered voter in the precinct in which the provisional ballot is being voted;
- (c) A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted.

(2) In addition to the information required to be included in an affirmation under division (B)(1) of this section, in determining whether a provisional ballot is valid and entitled to be counted, the board also shall examine any additional information for determining ballot validity provided by the provisional voter on the affirmation, provided by the provisional voter to an election official under section 3505.182 of the Revised Code, or provided to the board of elections during the four days after the day of the election under ~~division (B)(7) or (8) of~~ section 3505.181 of the Revised Code, to assist the board in determining the individual's eligibility to vote.

- (3) If, in examining a provisional ballot affirmation and additional information under

divisions (B)(1) and (2) of this section and comparing the information required under division (B)(1) of this section with the individual's information in the statewide voter registration database, the board determines that all of the following apply, the provisional ballot envelope shall be opened, and the ballot shall be placed in a ballot box to be counted:

(a) The individual named on the affirmation is properly registered to vote.

(b) The individual named on the affirmation is eligible to cast a ballot in the precinct and for the election in which the individual cast the provisional ballot.

(c) The individual provided all of the information required under division (B)(1) of this section in the affirmation that the individual executed at the time the individual cast the provisional ballot.

(d) One of the following applies:

(i) The individual provided photo identification at the time of casting the provisional ballot or appeared at the office of the board within four days after the day of the election and provided photo identification. If the individual provided the individual's Ohio driver's license or state identification card or an interim identification form, the individual provided the individual's driver's license number or state identification card number and the number is not different from the individual's driver's license number or state identification card number contained in the statewide voter registration database.

(ii) The individual completed an affidavit of religious objection under section 3505.19 of the Revised Code at the time of casting the provisional ballot or at the office of the board within four days after the day of the election and the affidavit is valid under that section.

(e) Except as otherwise provided in this division, the month and day of the individual's date of birth are not different from the day and month of the individual's date of birth contained in the statewide voter registration database.

This division does not apply to an individual's provisional ballot if either of the following is true:

(i) The individual's date of birth contained in the statewide voter registration database is January 1, 1800.

(ii) The board of elections has found, by a vote of at least three of its members, that the individual has met all other requirements of division (B)(3) of this section.

(f) The individual's current address is not different from the individual's address contained in the statewide voter registration database, unless the individual indicated that the individual is casting a provisional ballot because the individual has moved and has not submitted a notice of change of address, as described in division (A)(6) of section 3505.181 of the Revised Code.

(g) If applicable, the individual provided any additional information required under division (B)(8) of section 3505.181 of the Revised Code within four days after the day of the election.

(h) If applicable, the individual provided the information required under division (D)(2) of section 3503.201 of the Revised Code on the provisional ballot affirmation or within four days after

the day of the election.

(i) If applicable, the individual provided proof of citizenship on the provisional ballot affirmation or within four days after the day of the election.

(4)(a) Except as otherwise provided in division (D) of this section, if, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section and comparing the information required under division (B)(1) of this section with the individual's information in the statewide voter registration database, the board determines that any of the following applies, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

(i) The individual named on the affirmation is not qualified or is not properly registered to vote.

(ii) The individual named on the affirmation is not eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.

(iii) The individual did not provide all of the information required under division (B)(1) of this section in the affirmation that the individual executed at the time the individual cast the provisional ballot.

(iv) The individual has already cast a ballot for the election in which the individual cast the provisional ballot.

(v) If applicable, the individual did not provide any additional information required under division (B)(8) of section 3505.181 of the Revised Code within four days after the day of the election.

(vi) The individual failed to provide photo identification, to provide the individual's driver's license or state identification card number if the individual provided photo identification in the form of an Ohio driver's license or state identification card or an interim identification form, or to complete an affidavit of religious objection.

(vii) The individual failed to execute an affirmation under division (B) of section 3505.181 of the Revised Code.

(viii) The individual provided photo identification in the form of an Ohio driver's license or state identification card or an interim identification form and the driver's license number or state identification card number the individual provided is different from the individual's driver's license number or state identification card number contained in the statewide voter registration database.

(ix) The individual completed an affidavit of religious objection under section 3505.19 of the Revised Code, but the affidavit is not valid under that section.

(x) Except as otherwise provided in this division, the month and day of the individual's date of birth are different from the day and month of the individual's date of birth contained in the statewide voter registration database.

This division does not apply to an individual's provisional ballot if either of the following is true:

(I) The individual's date of birth contained in the statewide voter registration database is January 1, 1800.

(II) The board of elections has found, by a vote of at least three of its members, that the individual has met all of the requirements of division (B)(3) of this section, other than the requirements of division (B)(3)(e) of this section.

(xi) The individual's current address is different from the individual's address contained in the statewide voter registration database, unless the individual indicated that the individual is casting a provisional ballot because the individual has moved and has not submitted a notice of change of address, as described in division (A)(6) of section 3505.181 of the Revised Code.

(xii) If applicable, the individual did not provide the information required under division (D)(2) of section 3503.201 of the Revised Code on the provisional ballot affirmation or within four days after the day of the election.

(xiii) If applicable, the individual did not provide proof of citizenship on the provisional ballot affirmation or within four days after the day of the election.

(b) If, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section and comparing the information required under division (B)(1) of this section with the individual's information in the statewide voter registration database, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

(i) Whether the individual named on the affirmation is qualified or properly registered to vote;

(ii) Whether the individual named on the affirmation is eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.

(C) For each provisional ballot rejected under division (B)(4) of this section, the board shall record the name of the provisional voter who cast the ballot, the identification number of the provisional ballot envelope, the names of the election officials who determined the validity of that ballot, the date and time that the determination was made, and the reason that the ballot was not counted, unless the board has already recorded that information in another database.

(D)(1) If an individual cast a provisional ballot in a precinct in which the individual is not registered and eligible to vote, but in the correct polling location for the precinct in which the individual is registered and eligible to vote, and the election official failed to direct the individual to the correct precinct, the individual's ballot shall be remade under division (D)(2) of this section. The election official shall be deemed to have directed the individual to the correct precinct if the election official correctly completed the form described in division (C)(2) of section 3505.181 of the Revised Code.

(2) A board of elections that remakes a provisional ballot under division (D)(1) of this section shall remake the provisional ballot on a ballot for the appropriate precinct to reflect the offices, questions, and issues for which the individual was eligible to cast a ballot and for which the

individual attempted to cast a provisional ballot. The remade ballot shall be counted for each office, question, and issue for which the individual was eligible to vote.

(3) If an individual cast a provisional ballot in a precinct in which the individual is not registered and eligible to vote and in the incorrect polling location for the precinct in which the individual is registered and eligible to vote, the provisional ballot envelope shall not be opened, and the ballot shall not be counted.

(E) Provisional ballots that are rejected under division (B)(4) of this section shall not be counted but shall be preserved in their provisional ballot envelopes unopened until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed.

(F) Provisional ballots that the board determines are eligible to be counted under division (B)(3) or (D) of this section shall be counted in the same manner as provided for other ballots under section 3505.27 of the Revised Code. No provisional ballots shall be counted in a particular county until the board determines the eligibility to be counted of all provisional ballots cast in that county under division (B) of this section for that election. Observers, as provided in section 3505.21 of the Revised Code, may be present at all times that the board is determining the eligibility of provisional ballots to be counted and counting those provisional ballots determined to be eligible. No person shall recklessly disclose the count or any portion of the count of provisional ballots in such a manner as to jeopardize the secrecy of any individual ballot.

(G)(1) Except as otherwise provided in division (G)(2) of this section, nothing in this section shall prevent a board of elections from examining provisional ballot affirmations and additional information under divisions (B)(1) and (2) of this section to determine the eligibility of provisional ballots to be counted during the seven days after the day of an election.

(2) A board of elections shall not examine the provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section of any provisional ballot cast by an individual who must provide photo identification, complete an affidavit of religious objection, or provide additional information to the board of elections under ~~division (B)(7) or (8) of~~ section 3505.181 of the Revised Code for the board to determine the individual's eligibility until the individual does so or until the eighth day after the day of the election, whichever is earlier.

Sec. 3505.20. Any person offering to vote may be challenged at the polling place by any precinct election official. If the board of elections has ruled on the question presented by a challenge prior to election day, its finding and decision shall be final, and the voting location manager shall be notified in writing. If the board has not ruled, the question shall be determined as set forth in this section. If any person is so challenged as unqualified to vote, the voting location manager shall tender the person the following oath: "You do swear or affirm under penalty of election falsification that you will fully and truly answer all of the following questions put to you concerning your qualifications as an elector at this election."

(A) If the person is challenged as unqualified on the ground that the person is not a United

States citizen, the precinct election officials shall put the following questions:

(1) Are you a citizen of the United States?

(2) ~~Are you a native or naturalized citizen?~~

(3) ~~Where were you born?~~

(4) ~~What official documentation do~~ Do you possess to prove proof of your United States citizenship? Please provide that documentation.

If the person offering to vote ~~claims to be a naturalized citizen of the United States, the person shall, before the vote is received, produce~~ produces proof of citizenship for inspection of the precinct election officials ~~a certificate of naturalization, other than the number of the person's Ohio driver's license or state identification card, and declare~~ declares under oath that the person is the identical person named in the certificate. If the person states under oath that, by reason of the naturalization of the person's parents or one of them, the person has become a citizen of the United States, and when or where the person's parents were naturalized, the certificate of naturalization need ~~not be produced~~ the person shall be permitted to cast a regular ballot. If the person is unable to provide ~~a certificate of naturalization~~ proof of citizenship, other than the number of the person's Ohio driver's license or state identification card, on the day of the election, the precinct election officials shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.

(B) If the person is challenged as unqualified on the ground that the person has not resided in this state for thirty days immediately preceding the election, the precinct election officials shall put the following questions:

(1) Have you resided in this state for thirty days immediately preceding this election? If so, where have you resided?

(2) Did you properly register to vote?

(3) Can you provide some form of identification containing your current mailing address in this precinct? Please provide that identification.

(4) Have you voted or attempted to vote at any other location in this or in any other state at this election?

(5) Have you applied for an absent voter's ballot in any state for this election?

If the precinct election officials are unable to verify the person's eligibility to cast a ballot in the election, the precinct election officials shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.

(C) If the person is challenged as unqualified on the ground that the person is not a resident of the precinct where the person offers to vote, the precinct election officials shall put the following

questions:

- (1) Do you reside in this precinct?
- (2) When did you move into this precinct?
- (3) When you came into this precinct, did you come for a temporary purpose merely or for the purpose of making it your home?
- (4) What is your current mailing address?
- (5) Do you have some official identification containing your current address in this precinct? Please provide that identification.
- (6) Have you voted or attempted to vote at any other location in this or in any other state at this election?
- (7) Have you applied for any absent voter's ballot in any state for this election?

The precinct election officials shall direct an individual who is not in the appropriate polling place to the appropriate polling place. If the individual refuses to go to the appropriate polling place, or if the precinct election officials are unable to verify the person's eligibility to cast a ballot in the election, the precinct election officials shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.

(D) If the person is challenged as unqualified on the ground that the person is not of legal voting age, the precinct election officials shall put the following questions:

- (1) Are you eighteen years of age or more?
- (2) What is your date of birth?
- (3) Do you have some official identification verifying your age? Please provide that identification.

If the precinct election officials are unable to verify the person's age and eligibility to cast a ballot in the election, the precinct election officials shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.

The voting location manager shall put such other questions to the person challenged as are necessary to determine the person's qualifications as an elector at the election. If a person challenged refuses to answer fully any question put to the person, is unable to answer the questions as they were answered on the registration form by the person under whose name the person offers to vote, or refuses to sign the person's name or make the person's mark, or if for any other reason a majority of the precinct election officials believes the person is not entitled to vote, the precinct election officials shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.

A qualified citizen who has certified the citizen's intention to vote for president and vice-president as provided by Chapter 3504. of the Revised Code shall be eligible to receive only the ballot containing presidential and vice-presidential candidates.

However, not later than the thirtieth day before the day of an election and in accordance with section 3503.24 of the Revised Code, any person qualified to vote may challenge the right of any other person to be registered as a voter, or the right to cast an absent voter's ballot, or to make application for such ballot. Such challenge shall be made in accordance with section 3503.24 of the Revised Code, and the board of elections of the county in which the voting residence of the challenged voter is situated shall make a final determination relative to the legality of such registration or application.

Sec. 3509.05. (A) When an elector receives an absent voter's ballot pursuant to the elector's application or request, the elector shall, before placing any marks on the ballot, note whether there are any voting marks on it. If there are any voting marks, the ballot shall be returned immediately to the board of elections; otherwise, the elector shall cause the ballot to be marked, folded in a manner that the stub on it and the indorsements and facsimile signatures of the members of the board of elections on the back of it are visible, and placed and sealed within the identification envelope received from the board of elections for that purpose. Then, the elector shall cause the statement of voter on the outside of the identification envelope to be completed and signed, under penalty of election falsification.

(B) The elector shall provide one of the following:

(1) The elector's Ohio driver's license or state identification card number on the statement of voter on the identification envelope;

(2) The last four digits of the elector's social security number on the statement of voter on the identification envelope;

(3) A copy of the elector's photo identification in the return envelope with the identification envelope.

(C)(1) The elector shall mail the identification envelope to the office of the board of elections in the return envelope, postage prepaid, or the elector may personally deliver it to the office of the board, or the spouse of the elector, the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the elector may deliver it to the office of the board. The return envelope shall be returned by no other person, in no other manner, and to no other location, except as otherwise provided in section 3509.08 of the Revised Code.

(2) If the board maintains multiple offices in the county, as permitted under division (C) of section 3501.10 of the Revised Code, the board may designate any of its offices for the return of absent voter's ballots under this section, provided that the board shall designate only one office to which absent voter's ballots shall be returned under this section.

(3)(a) The board of elections may place not more than one secure receptacle outside the office of the board, on the property on which the office of the board is located, for the purpose of receiving absent voter's ballots under this section.

(b) A secure receptacle shall be open to receive ballots only during the period beginning on the first day after the close of voter registration before the election and ending at seven-thirty p.m. on the day of the election. The receptacle shall be open to receive ballots at all times during that period.

(c) A secure receptacle shall be monitored by recorded video surveillance at all times. The video recordings are a public record. The board shall do one of the following:

(i) Make the video recordings available for inspection upon request in accordance with section 149.43 of the Revised Code.

(ii) Make each day's video recording available to the public on the internet for streaming or download without charge within seventy-two hours after the recording ends and make the video recordings available to the public upon request in accordance with section 149.43 of the Revised Code.

(d) Only a bipartisan team of election officials may open a secure receptacle or handle its contents. A bipartisan team of election officials shall collect the contents of each secure receptacle and deliver them to the board for processing at least once each day and at seven-thirty p.m. on the day of the election. If, at seven-thirty p.m. on the day of the election, there are persons waiting in line to deposit absent voter's ballots in a receptacle, those persons shall be permitted to deposit the ballots.

(4)(a) During the period beginning on the forty-fifth day before election day and ending on the day after election day, on each day the office of the board of elections is open for business, the board shall report to the secretary of state all of the following information concerning the previous business day:

(i) The number of return envelopes purporting to contain absent voter's ballots or uniformed services or overseas absent voter's ballots the board received by personal delivery, other than to a receptacle described in division (C)(3) of this section;

(ii) If the board has placed a secure receptacle outside the office of the board under division (C)(3) of this section, the number of return envelopes purporting to contain absent voter's ballots or uniformed services or overseas absent voter's ballots the board received in the receptacle.

(b) As soon as practicable after receiving a report under division (C)(4)(a) of this section, the secretary of state shall make the information in the report available to the public on the secretary of state's official web site.

~~(D)(1)-(D)~~ Except as otherwise provided in ~~division (D)(2) of this section~~ 3511.11 of the Revised Code, all envelopes containing marked absent voter's ballots shall be delivered to the office of the board not later than the close of the polls on the day of an election. Absent voter's ballots delivered to the office of the board later than the times specified shall not be counted, but shall be

kept by the board in the sealed identification envelopes in which they are delivered, until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed.

~~(2)(a) Except as otherwise provided in division (D)(2)(b) of this section, any return envelope that is postmarked prior to the day of the election shall be delivered to the director prior to the fifth day after the election. Ballots delivered in envelopes postmarked prior to the day of the election that are received after the close of the polls on election day through the fourth day thereafter shall be counted on the fifth day at the board of elections in the manner provided in divisions (C) and (D) of section 3509.06 of the Revised Code or in the manner provided in division (E) of that section, as applicable. Any such ballots that are received by the director later than the fourth day following the election shall not be counted, but shall be kept by the board in the sealed identification envelopes as provided in division (A) of this section.~~

~~(b) Division (D)(2)(a) of this section shall not apply to any mail that is postmarked using a postage evidencing system, including a postage meter, as defined in 39 C.F.R. 501.1.~~

Sec. 3517.14. (A)(1) There is in the office of the secretary of state the Ohio election integrity commission, consisting of the following five members:

- (a) A chairperson appointed by the secretary of state;
- (b) One member appointed by the speaker of the house of representatives;
- (c) One member appointed by the minority leader of the house of representatives;
- (d) One member appointed by the president of the senate;
- (e) One member appointed by the senate minority leader.

(2)(a) Subject to division (A)(2)(b) of this section, each member of the commission shall be a registered elector to whom at least one of the following applies:

- (i) The person is an attorney in good standing before the supreme court of Ohio.
- (ii) The person has at least four years of work experience in election administration.

(b) At all times, at least three members of the commission shall be attorneys in good standing before the supreme court of Ohio. If, at any time that multiple appointments to the commission are made simultaneously, too few of the intended appointees are attorneys, the following appointing officials shall have priority in selecting their preferred appointees who are not attorneys, in the order stated, and the appointing officials with lower priority shall select appointees who are attorneys: the secretary of state, the speaker of the house of representatives, the president of the senate, the senate minority leader, and the house minority leader.

(3) The members of the commission appointed under divisions (A)(1)(a), (c), and (d) of this section shall serve initial terms of four years beginning on January 1, 2026, and the members appointed under divisions (A)(1)(b) and (e) of this section shall serve initial terms of two years beginning on January 1, 2026. Thereafter, all terms shall be four years.

(B) Each member of the commission shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. A member appointed to

fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first.

(C) A vacancy on the commission may be caused by death or resignation or by removal under division (I) of this section. Any vacancy shall be filled in the same manner as for the original appointment.

(D) Each member of the commission while in the performance of the business of the commission shall be entitled to receive compensation at the rate of twenty-five thousand dollars per year. Members shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

(E) No member of the commission shall serve for more than two successive terms of four years. Terms are considered successive unless separated by a period of at least four years. In determining a person's eligibility to be a member of the commission, all of the following apply:

(1) Time spent as a member in fulfillment of a term to which another person was first appointed shall not be considered, provided that a period of at least four years has passed between the time, if any, when the person previously was a member and the time the person is appointed to fulfill the unexpired term.

(2) A person who is appointed to serve a full term and resigns before completing the term is considered to have served the full term.

(3) A ~~two-year~~ two-year term served under division (A)(3) of this section is considered a full term of four years.

(F)(1) No member of the Ohio election integrity commission shall do or be any of the following:

(a) Hold, or be a candidate for, ~~a~~ an elected public office;

(b) Serve on a committee supporting or opposing a candidate or ballot question or issue;

(c) Be an officer of the state central committee, a county central committee, or a district, city, township, or other committee of a political party or an officer of the executive committee of the state central committee, a county central committee, or a district, city, township, or other committee of a political party;

(d) Be a legislative agent as defined in section 101.70 of the Revised Code or an executive agency lobbyist as defined in section 121.60 of the Revised Code;

(e) Solicit or be involved in soliciting contributions on behalf of a candidate, campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity;

(f) Be ~~in the unclassified service under section 124.11 of the Revised Code~~ compensated for providing goods or services to a candidate, campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity;

(g) Be a person or employee who is excluded from the definition of public employee pursuant to division (C) of section 4117.01 of the Revised Code.

(2) No member of the commission shall make a contribution to, or for the benefit of, a campaign committee or committee in support of or opposition to a ballot question or issue, a political party, a legislative campaign fund, a political action committee, or a political contributing entity.

(G)(1) The commission shall meet at the call of the chairperson or upon the written request of a majority of the members. The meetings and hearings of the commission under sections 3517.15 to 3517.18 of the Revised Code are subject to section 121.22 of the Revised Code.

(2) The commission shall adopt rules for its procedures in accordance with Chapter 119. of the Revised Code. Four of the five members constitute a quorum. Except as otherwise provided in this section and in sections 3517.15 to 3517.18 of the Revised Code, no action shall be taken without the concurrence of a majority of the members.

(H) The secretary of state shall employ the technical, professional, and clerical employees that are necessary for the commission to carry out its duties, and the attorney general shall provide legal counsel to the commission upon the commission's request.

(I)(1) The secretary of state, the speaker or minority leader of the house of representatives, or the president or minority leader of the senate may file a complaint in the supreme court of Ohio, seeking the removal of a member of the commission on any of the following grounds:

(a) That the member does not meet the applicable requirements of division (A)(2) of this section;

(b) That the member has violated division (F) of this section;

(c) That the member has been absent from three or more meetings of the commission in a calendar year;

(d) That the member is guilty of misconduct in office, as described in section 3.07 of the Revised Code.

(2) The court shall hear a complaint filed with it under division (I)(1) of this section on an expedited basis. If the court determines that the charges in the complaint are true, the court shall order the member removed from the commission, and the seat shall be considered vacant.

SECTION 2. That existing sections 3501.01, 3503.13, 3503.151, 3503.152, 3503.18, 3503.19, 3503.21, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3509.05, and 3517.14 of the Revised Code are hereby repealed.

SECTION 3. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to

the effective date of the sections as presented in this act:

Section 3503.21 of the Revised Code as amended by both H.B. 359 and S.B. 63 of the 131st General Assembly.

Section 3505.183 of the Revised Code as amended by both H.B. 45 and H.B. 458 of the 134th General Assembly.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. S. B. No. 293

136th G.A.

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

Director, Legislative Service Commission.

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

Secretary of State.

File No. _____ Effective Date _____