

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 210

Representatives Gross, Click

Cosponsors: Representatives Lear, Williams, Willis, Stoltzfus, Dean, Wiggam

A BILL

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

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

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

Sec. 3501.01. As used in the sections of the Revised Code 18

relating to elections and political communications: 19

(A) "General election" means the election held on the 20
first Tuesday after the first Monday in each November. 21

(B) "Regular municipal election" means the election held 22
on the first Tuesday after the first Monday in November in each 23
odd-numbered year. 24

(C) "Regular state election" means the election held on 25
the first Tuesday after the first Monday in November in each 26
even-numbered year. 27

(D) "Special election" means any election other than those 28
elections defined in other divisions of this section. A special 29
election may be held only on the first Tuesday after the first 30
Monday in May or November, on the first Tuesday after the first 31
Monday in August in accordance with section 3501.022 of the 32
Revised Code, or on the day authorized by a particular municipal 33
or county charter for the holding of a primary election, except 34
that in any year in which a presidential primary election is 35
held, no special election shall be held in May, except as 36
authorized by a municipal or county charter, but may be held on 37
the third Tuesday after the first Monday in March. 38

(E) (1) "Primary" or "primary election" means an election 39
held for the purpose of nominating persons as candidates of 40
political parties for election to offices, and for the purpose 41
of electing persons as members of the controlling committees of 42
political parties and as delegates and alternates to the 43
conventions of political parties. Primary elections shall be 44
held on the first Tuesday after the first Monday in May of each 45
year except in years in which a presidential primary election is 46
held. 47

(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~~ is 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 107
is required, pursuant to section 3505.04 of the Revised Code, to 108
be listed on the nonpartisan ballot, including all candidates 109
for judge of a municipal court, county court, or court of common 110
pleas, for member of any board of education, for municipal or 111
township offices in which primary elections are not held for 112
nominating candidates by political parties, and for offices of 113
municipal corporations having charters that provide for separate 114
ballots for elections for these offices. 115

(K) "Party candidate" means any candidate who ~~claims to be~~ 116
~~a member of~~ is affiliated with a political party and who has 117
been certified to appear on the office-type ballot at a general 118
or special election as the nominee of a political party because 119
the candidate has won the primary election of the candidate's 120
party for the public office the candidate seeks, has been 121
nominated under section 3517.012, or is selected by party 122
committee in accordance with section 3513.31 of the Revised 123
Code. 124

(L) "Officer of a political party" includes, but is not 125
limited to, any member, elected or appointed, of a controlling 126
committee, whether representing the territory of the state, a 127
district therein, a county, township, a city, a ward, a 128
precinct, or other territory, of a major or minor political 129
party. 130

(M) "Question or issue" means any question or issue 131
certified in accordance with the Revised Code for placement on 132
an official ballot at a general or special election to be held 133
in this state. 134

(N) "Elector" or "qualified elector" means a person having 135
the qualifications provided by law to be entitled to vote. 136

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| (O) "Voter" means an elector who votes at an election. | 137 |
| (P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote. | 138 139 140 |
| (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. | 141 142 143 144 |
| (R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote. | 145 146 147 |
| (S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code. | 148 149 150 |
| (T) "Political subdivision" means a county, township, city, village, or school district. | 151 152 |
| (U) "Election officer" or "election official" means any of the following: | 153 154 |
| (1) Secretary of state; | 155 |
| (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; | 156 157 158 159 |
| (3) Director of a board of elections; | 160 |
| (4) Deputy director of a board of elections; | 161 |
| (5) Member of a board of elections; | 162 |
| (6) Employees of a board of elections; | 163 |

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| (7) Precinct election officials; | 164 |
| (8) Employees appointed by the boards of elections on a temporary or part-time basis. | 165 166 |
| (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. | 167 168 169 170 171 172 173 |
| (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. | 174 175 176 177 |
| (X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for 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 | 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 |

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| libraries, or the office of a county treasurer. | 194 |
| (Y) "National Voter Registration Act of 1993" means the | 195 |
| "National Voter Registration Act of 1993," 107 Stat. 77, 42 | 196 |
| U.S.C.A. 1973gg. | 197 |
| (Z) "Voting Rights Act of 1965" means the "Voting Rights | 198 |
| Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. | 199 |
| (AA) (1) "Photo identification" means one of the following | 200 |
| documents that includes the individual's name and photograph and | 201 |
| is not expired: | 202 |
| (a) An Ohio driver's license, state identification card, | 203 |
| or interim identification form issued by the registrar of motor | 204 |
| vehicles or a deputy registrar under Chapter 4506. or 4507. of | 205 |
| the Revised Code; | 206 |
| (b) A United States passport or passport card; | 207 |
| (c) A United States military identification card, Ohio | 208 |
| national guard identification card, or United States department | 209 |
| of veterans affairs identification card. | 210 |
| (2) A "copy" of an individual's photo identification means | 211 |
| images of both the front and back of a document described in | 212 |
| division (AA) (1) of this section, except that if the document is | 213 |
| a United States passport, a copy of the photo identification | 214 |
| means an image of the passport's identification page that | 215 |
| includes the individual's name, photograph, and other | 216 |
| identifying information and the passport's expiration date. | 217 |
| (BB) "Driver's license" means a license or permit issued | 218 |
| by the registrar or a deputy registrar under Chapter 4506. or | 219 |
| 4507. of the Revised Code that authorizes an individual to | 220 |
| drive. "Driver's license" includes a driver's license, | 221 |

commercial driver's license, probationary license, restricted 222
license, motorcycle operator's license, or temporary instruction 223
permit identification card. "Driver's license" does not include 224
a nonrenewable license issued under section 4507.09 of the 225
Revised Code. 226

(CC) "State identification card" means a card issued by 227
the registrar or a deputy registrar under sections 4507.50 to 228
4507.52 of the Revised Code. 229

(DD) "Interim identification form" means the document 230
issued by the registrar or a deputy registrar to an applicant 231
for a driver's license or state identification card that 232
contains all of the information otherwise found on the license 233
or card and that an applicant may use as a form of 234
identification until the physical license or card arrives in the 235
mail. 236

Sec. 3503.071. (A) Subject to division (D) of this 237
section, an elector's political party affiliation shall be 238
determined based on the most recent of the following: 239

(1) The elector's affiliation, if any, with a currently 240
recognized political party as indicated on the elector's most 241
recent voter registration application or voter registration 242
update form; 243

(2) In the case of an elector who is registered to vote in 244
this state before the effective date of this section, the 245
currently recognized political party, if any, whose ballot the 246
elector most recently cast at a primary election held during the 247
calendar year of the effective date of this section or the 248
previous two calendar years. 249

(B) (1) Each voter registration application and voter 250

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| <u>registration update form prescribed by the secretary of state</u> | 251 |
| <u>shall include all of the following:</u> | 252 |
| <u>(a) A list of the political parties that are recognized in</u> | 253 |
| <u>this state, accompanied by boxes for the applicant to check to</u> | 254 |
| <u>select a party with which the applicant wishes to be affiliated;</u> | 255 |
| <u>(b) A space for the applicant to write the name of a</u> | 256 |
| <u>recognized political party that is not listed on the form, if</u> | 257 |
| <u>the applicant wishes to be affiliated with that party;</u> | 258 |
| <u>(c) A box for the applicant to check to indicate that the</u> | 259 |
| <u>applicant does not wish to be affiliated with any political</u> | 260 |
| <u>party;</u> | 261 |
| <u>(d) A notice that the applicant may select or write the</u> | 262 |
| <u>name of only one recognized political party and that the</u> | 263 |
| <u>applicant is not required to select a political party;</u> | 264 |
| <u>(e) A notice that if the applicant is submitting a change</u> | 265 |
| <u>of political party affiliation, the applicant must submit the</u> | 266 |
| <u>form not later than the last day of December immediately</u> | 267 |
| <u>preceding the day of the next primary election in order to vote</u> | 268 |
| <u>the applicant's new political party's ballot at that election.</u> | 269 |
| <u>(2) An applicant who submits a voter registration</u> | 270 |
| <u>application or update form shall be considered unaffiliated if</u> | 271 |
| <u>either of the following apply:</u> | 272 |
| <u>(a) The applicant indicates on the application or form</u> | 273 |
| <u>that the applicant does not wish to be affiliated with any</u> | 274 |
| <u>political party.</u> | 275 |
| <u>(b) The applicant is not currently registered as</u> | 276 |
| <u>affiliated with a political party, does not select or write the</u> | 277 |
| <u>name of a recognized political party, and does not indicate that</u> | 278 |

the applicant does not wish to be affiliated with any political 279
party. 280

(3) An applicant who submits a voter registration update 281
form shall remain registered as affiliated with the applicant's 282
current political party if the applicant currently is affiliated 283
with a political party, does not select or write the name of a 284
recognized political party, and does not indicate that the 285
applicant does not wish to be affiliated with any political 286
party. 287

(C) (1) A registered elector who wishes to change the 288
elector's political party affiliation before a primary election 289
shall submit a voter registration update form reflecting the 290
change of political party affiliation not later than the last 291
day of December immediately preceding the day of the primary 292
election. The board of elections shall record the elector's date 293
of affiliation change as the date the elector submits the form. 294

(2) When an elector's registration in this state is 295
canceled and the elector subsequently submits a new voter 296
registration application that indicates a different political 297
party affiliation than the elector's previous affiliation 298
determined under division (A) of this section, the board of 299
elections shall record the elector's date of affiliation change 300
as the date the elector submits the new voter registration 301
application, as though the elector had submitted a voter 302
registration update form. 303

(3) When an elector who has not been previously registered 304
to vote in this state registers to vote, the board of elections 305
shall not record a date of affiliation change for the elector. 306

(D) (1) An elector is not eligible to do any of the 307

following with respect to a primary election if the elector's 308
date of affiliation change is during the period beginning on the 309
first day of January of the year of the primary election and 310
ending on the day of the primary election: 311

(a) Be a candidate for party nomination or election to 312
party office; 313

(b) Sign or circulate a petition of candidacy for party 314
nomination or election under section 3513.05 of the Revised 315
Code; 316

(c) Vote any political party's ballot at the primary 317
election. 318

(2) An elector described in division (D)(1) of this 319
section may do either of the following: 320

(a) Vote on any question or issue appearing on the ballot 321
at a special election held on the day of the primary election; 322

(b) If the elector's affiliation change is to become 323
unaffiliated, become an independent candidate for an office for 324
which candidates may be nominated at a primary election. 325

Sec. 3503.09. (A) (1) The secretary of state shall adopt 326
rules for the electronic transmission by boards of elections, 327
designated agencies, offices of deputy registrars of motor 328
vehicles, public high schools and vocational schools, public 329
libraries, and offices of county treasurers, where applicable, 330
of ~~name and residence changes for voter registration records in-~~ 331
~~the statewide voter registration database~~ update forms. 332

(2) The secretary of state shall adopt rules for the 333
purpose of improving the speed of processing new voter 334
registrations that permit information from a voter registration 335

application received by a designated agency or an office of 336
deputy registrar of motor vehicles to be made available 337
electronically, in addition to requiring the original voter 338
registration application to be transmitted to the applicable 339
board of elections under division (E) (2) of section 3503.10 or 340
section 3503.11 of the Revised Code. 341

(B) Rules adopted under division (A) of this section shall 342
do all of the following: 343

(1) Prohibit any direct electronic connection between a 344
designated agency, office of deputy registrar of motor vehicles, 345
public high school or vocational school, public library, or 346
office of a county treasurer and the statewide voter 347
registration database; 348

(2) Require any updated voter registration information to 349
be verified by the secretary of state or a board of elections 350
before the information is added to the statewide voter 351
registration database for the purpose of modifying an existing 352
voter registration; 353

(3) Require each designated agency or office of deputy 354
registrar of motor vehicles that transmits voter registration 355
information electronically to transmit an identifier for data 356
relating to each new voter registration that shall be used by 357
the secretary of state or a board of elections to match the 358
electronic data to the original voter registration application. 359

Sec. 3503.10. (A) Each designated agency shall designate 360
one person within that agency to serve as coordinator for the 361
voter registration program within the agency and its 362
departments, divisions, and programs. The designated person 363
shall be trained under a program designed by the secretary of 364

state and shall be responsible for administering all aspects of 365
the voter registration program for that agency as prescribed by 366
the secretary of state. The designated person shall receive no 367
additional compensation for performing such duties. 368

(B) Every designated agency, public high school and 369
vocational school, public library, and office of a county 370
treasurer shall provide in each of its offices or locations 371
voter registration applications and assistance in the 372
registration of persons qualified to register to vote, in 373
accordance with this chapter. 374

(C) Every designated agency shall distribute to its 375
applicants, prior to or in conjunction with distributing a voter 376
registration application, a form prescribed by the secretary of 377
state that includes all of the following: 378

(1) The question, "Do you want to register to vote or 379
update your current voter registration?"--followed by boxes for 380
the applicant to indicate whether the applicant would like to 381
register or decline to register to vote, and the statement, 382
highlighted in bold print, "If you do not check either box, you 383
will be considered to have decided not to register to vote at 384
this time."; 385

(2) If the agency provides public assistance, the 386
statement, "Applying to register or declining to register to 387
vote will not affect the amount of assistance that you will be 388
provided by this agency."; 389

(3) The statement, "If you would like help in filling out 390
the voter registration application form, we will help you. The 391
decision whether to seek or accept help is yours. You may fill 392
out the application form in private."; 393

(4) The statement, "If you believe that someone has 394
interfered with your right to register or to decline to register 395
to vote, your right to privacy in deciding whether to register 396
or in applying to register to vote, or your right to choose your 397
own political party or other political preference, you may file 398
a complaint with the prosecuting attorney of your county or with 399
the secretary of state," with the address and telephone number 400
for each such official's office. 401

(D) Each designated agency shall distribute a voter 402
registration form prescribed by the secretary of state to each 403
applicant with each application for service or assistance, and 404
with each written application or form for recertification, 405
renewal, or change of address. 406

(E) Each designated agency shall do all of the following: 407

(1) Have employees trained to administer the voter 408
registration program in order to provide to each applicant who 409
wishes to register to vote and who accepts assistance, the same 410
degree of assistance with regard to completion of the voter 411
registration application as is provided by the agency with 412
regard to the completion of its own form; 413

(2) Accept completed voter registration applications, and 414
~~voter registration change of residence forms, and voter~~ 415
~~registration change of name~~ update forms, regardless of whether 416
the application or form was distributed by the designated 417
agency, for transmittal to the office of the board of elections 418
in the county in which the agency is located. Each designated 419
agency and the appropriate board of elections shall establish a 420
method by which the voter registration applications and other 421
voter registration forms are transmitted to that board of 422
elections within five days after being accepted by the agency. 423

(3) If the designated agency is one that is primarily 424
engaged in providing services to persons with disabilities under 425
a state-funded program, and that agency provides services to a 426
person with disabilities at a person's home, provide the 427
services described in divisions (E) (1) and (2) of this section 428
at the person's home; 429

(4) Keep as confidential, except as required by the 430
secretary of state for record-keeping purposes, the identity of 431
an agency through which a person registered to vote or updated 432
the person's voter registration records, and information 433
relating to a declination to register to vote made in connection 434
with a voter registration application issued by a designated 435
agency. 436

(F) The secretary of state shall prepare and transmit 437
written instructions on the implementation of the voter 438
registration program within each designated agency, public high 439
school and vocational school, public library, and office of a 440
county treasurer. The instructions shall include directions as 441
follows: 442

(1) That each person designated to assist with voter 443
registration maintain strict neutrality with respect to a 444
person's political philosophies, a person's right to register or 445
decline to register, and any other matter that may influence a 446
person's decision to register or not register to vote; 447

(2) That each person designated to assist with voter 448
registration not seek to influence a person's decision to 449
register or not register to vote, not display or demonstrate any 450
political preference or party allegiance, and not make any 451
statement to a person or take any action the purpose or effect 452
of which is to lead a person to believe that a decision to 453

register or not register has any bearing on the availability of 454
services or benefits offered, on the grade in a particular class 455
in school, or on credit for a particular class in school; 456

(3) Regarding when and how to assist a person in 457
completing the voter registration application, what to do with 458
the completed voter registration application or voter 459
registration update form, and when the application must be 460
transmitted to the appropriate board of elections; 461

(4) Regarding what records must be kept by the agency and 462
where and when those records should be transmitted to satisfy 463
reporting requirements imposed on the secretary of state under 464
the National Voter Registration Act of 1993; 465

(5) Regarding whom to contact to obtain answers to 466
questions about voter registration forms and procedures. 467

(G) If the voter registration activity is part of an in- 468
class voter registration program in a public high school or 469
vocational school, whether prescribed by the secretary of state 470
or independent of the secretary of state, the board of education 471
shall do all of the following: 472

(1) Establish a schedule of school days and hours during 473
these days when the person designated to assist with voter 474
registration shall provide voter registration assistance; 475

(2) Designate a person to assist with voter registration 476
from the public high school's or vocational school's staff; 477

(3) Make voter registration applications and materials 478
available, as outlined in the voter registration program 479
established by the secretary of state pursuant to section 480
3501.05 of the Revised Code; 481

(4) Distribute the statement, "applying to register or 482
declining to register to vote, or registering as affiliated with 483
a particular political party or registering to vote and 484
remaining unaffiliated, will not affect or be a condition of 485
your receiving a particular grade in or credit for a school 486
course or class, participating in a curricular or 487
extracurricular activity, receiving a benefit or privilege, or 488
participating in a program or activity otherwise available to 489
pupils enrolled in this school district's schools."; 490

(5) Establish a method by which the voter registration 491
application and other voter registration forms are transmitted 492
to the board of elections within five days after being accepted 493
by the public high school or vocational school. 494

(H) Any person employed by the designated agency, public 495
high school or vocational school, public library, or office of a 496
county treasurer may be designated to assist with voter 497
registration pursuant to this section. The designated agency, 498
public high school or vocational school, public library, or 499
office of a county treasurer shall provide the designated 500
person, and make available such space as may be necessary, 501
without charge to the county or state. 502

(I) The secretary of state shall prepare and cause to be 503
displayed in a prominent location in each designated agency a 504
notice that identifies the person designated to assist with 505
voter registration, the nature of that person's duties, and 506
where and when that person is available for assisting in the 507
registration of voters. 508

A designated agency may furnish additional supplies and 509
services to disseminate information to increase public awareness 510
of the existence of a person designated to assist with voter 511

registration in every designated agency. 512

(J) This section does not limit any authority a board of 513
education, superintendent, or principal has to allow, sponsor, 514
or promote voluntary election registration programs within a 515
high school or vocational school, including programs in which 516
pupils serve as persons designated to assist with voter 517
registration, provided that no pupil is required to participate. 518

(K) Each public library and office of the county treasurer 519
shall establish a method by which voter registration forms are 520
transmitted to the board of elections within five days after 521
being accepted by the public library or office of the county 522
treasurer. 523

(L) The department of job and family services and its 524
departments, divisions, and programs shall limit administration 525
of the aspects of the voter registration program for the 526
department to the requirements prescribed by the secretary of 527
state and the requirements of this section and the National 528
Voter Registration Act of 1993. 529

Sec. 3503.11. When any person applies for a driver's 530
license, commercial driver's license, a state of Ohio 531
identification card issued under section 4507.50 of the Revised 532
Code, or motorcycle operator's license or endorsement, or the 533
renewal or duplicate of any license or endorsement under Chapter 534
4506. or 4507. of the Revised Code, the registrar of motor 535
vehicles or deputy registrar shall offer the applicant the 536
opportunity to register to vote or to update the applicant's 537
voter registration. The registrar of motor vehicles or deputy 538
registrar also shall make available to all other customers voter 539
registration applications and ~~change of residence and change of~~ 540
~~name,~~ voter registration update forms, but is not required to 541

offer assistance to these customers in completing a voter 542
registration application or other form. 543

The deputy registrar shall send any registration 544
application or any ~~change of residence or change of name voter~~ 545
registration update form that was completed and submitted in 546
paper form to the deputy registrar to the board of elections of 547
the county in which the office of the deputy registrar is 548
located, within five days after accepting the application or 549
other form. The registrar shall send any completed registration 550
application received at the bureau of motor vehicles 551
headquarters location and any completed ~~change of residence or~~ 552
~~change of name voter registration update~~ form processed 553
electronically in systems or programs operated and maintained by 554
the bureau of motor vehicles to the secretary of state within 555
five days after accepting the application or other form. 556

The registrar shall collect from each deputy registrar 557
through the reports filed under division (J) of section 4503.03 558
of the Revised Code and transmit to the secretary of state 559
information on the number of voter registration applications and 560
~~change of residence or change of name voter registration update~~ 561
forms completed or declined, and any additional information 562
required by the secretary of state to comply with the National 563
Voter Registration Act of 1993. No information relating to an 564
applicant's decision to decline to register or update the 565
applicant's voter registration at the office of the registrar or 566
deputy registrar may be used for any purpose other than voter 567
registration record-keeping required by the secretary of state, 568
and all such information shall be kept confidential. 569

The secretary of state shall prescribe voter registration 570
applications and ~~change of residence and change of name voter~~ 571

registration update forms for use by the bureau of motor 572
vehicles. The bureau of motor vehicles shall supply all of its 573
deputy registrars with a sufficient number of voter registration 574
applications and ~~change of residence and change of name~~ voter 575
registration update forms. 576

Sec. 3503.14. ~~(A)~~ (A) (1) The secretary of state shall 577
prescribe the form and content of the voter registration, ~~change~~ 578
~~of residence,~~ and ~~change of name~~ voter registration update forms 579
used in this state. The forms shall meet the requirements of the 580
National Voter Registration Act of 1993 and shall include spaces 581
for all of the following: 582

~~(1)~~ (a) The voter's name; 583

~~(2)~~ (b) The voter's address; 584

~~(3)~~ (c) The current date; 585

~~(4)~~ (d) The voter's date of birth; 586

~~(5)~~ (e) The voter to provide at least one of the following 587
forms of identification: 588

~~(a)~~ (i) The voter's Ohio driver's license or state 589
identification card number; 590

~~(b)~~ (ii) The last four digits of the voter's social 591
security number. 592

~~(6)~~ (f) The voter's signature. 593

(2) The form shall include the political party affiliation 594
fields and notices described in division (B) (1) of section 595
3503.071 of the Revised Code. 596

(3) The registration form shall include a space on which 597
the person registering an applicant shall sign the person's name 598

and provide the person's address and a space on which the person 599
registering an applicant shall name the employer who is 600
employing that person to register the applicant. 601

(4) Except for forms prescribed by the secretary of state 602
under section 3503.11 of the Revised Code, the secretary of 603
state shall permit boards of elections to produce forms that 604
have subdivided spaces for each individual alphanumeric 605
character of the information provided by the voter so as to 606
accommodate the electronic reading and conversion of the voter's 607
information to data and the subsequent electronic transfer of 608
that data to the statewide voter registration database 609
established under section 3503.15 of the Revised Code. 610

(B) None of the following persons who are registering an 611
applicant in the course of that official's or employee's normal 612
duties shall sign the person's name, provide the person's 613
address, or name the employer who is employing the person to 614
register an applicant on a form prepared under this section: 615

- (1) An election official; 616
- (2) A county treasurer; 617
- (3) A deputy registrar of motor vehicles; 618
- (4) An employee of a designated agency; 619
- (5) An employee of a public high school; 620
- (6) An employee of a public vocational school; 621
- (7) An employee of a public library; 622
- (8) An employee of the office of a county treasurer; 623
- (9) An employee of the bureau of motor vehicles; 624
- (10) An employee of a deputy registrar of motor vehicles; 625

(11) An employee of an election official. 626

(C) Except as provided in section 3501.382 of the Revised 627
Code, any applicant who is unable to sign the applicant's own 628
name shall make an "X," if possible, which shall be certified by 629
the signing of the name of the applicant by the person filling 630
out the form, who shall add the person's own signature. If an 631
applicant is unable to make an "X," the applicant shall indicate 632
in some manner that the applicant desires to register to vote or 633
to ~~change~~ update the applicant's ~~name or residence~~ voter 634
registration. The person registering the applicant shall sign 635
the form and attest that the applicant indicated that the 636
applicant desired to register to vote or to ~~change the~~ 637
~~applicant's name or residence~~ update the applicant's voter 638
registration. 639

(D) No registration, ~~change of residence,~~ or ~~change of~~ 640
~~name~~ update form shall be rejected solely on the basis that a 641
person registering an applicant failed to sign the person's name 642
or failed to name the employer who is employing that person to 643
register the applicant as required under division (A) of this 644
section. 645

(E) A voter registration application or voter registration 646
update form submitted online through the internet pursuant to 647
section 3503.20 of the Revised Code is not required to contain a 648
signature to be considered valid. The signature obtained under 649
division (B) of that section shall be considered the applicant's 650
signature for all election and signature-matching purposes. 651

(F) As used in this section, "registering an applicant" 652
includes any effort, for compensation, to provide voter 653
registration forms or to assist persons in completing or 654
returning those forms. 655

Sec. 3503.15. (A) (1) The secretary of state shall 656
establish and maintain a statewide voter registration database 657
that shall be administered by the office of the secretary of 658
state and made continuously available to each board of elections 659
and to other agencies as authorized by law. 660

(2) (a) State agencies, including, but not limited to, the 661
department of health, the bureau of motor vehicles, the 662
department of job and family services, the department of 663
medicaid, and the department of rehabilitation and corrections, 664
shall provide any information and data to the secretary of state 665
that is collected in the course of normal business and that is 666
necessary to register to vote, to update an elector's 667
registration, or to maintain the statewide voter registration 668
database established pursuant to this section, except where 669
prohibited by federal law or regulation. The department of 670
health, the bureau of motor vehicles, the department of job and 671
family services, the department of medicaid, and the department 672
of rehabilitation and corrections shall provide that information 673
and data to the secretary of state not later than the last day 674
of each month. The secretary of state shall ensure that any 675
information or data provided to the secretary of state that is 676
confidential in the possession of the entity providing the data 677
remains confidential while in the possession of the secretary of 678
state. No public office, and no public official or employee, 679
shall sell that information or data or use that information or 680
data for profit. 681

(b) Information provided under this division for 682
maintenance of the statewide voter registration database shall 683
not be used to update ~~the name or address of a registered~~ 684
elector an elector's registration. The name ~~or~~, address, or 685
political party affiliation of a registered elector shall only 686

be updated as a result of the elector's actions in filing a 687
~~notice of change of name, change of address, or both voter~~ 688
registration update form. 689

(c) A board of elections shall contact a registered 690
elector pursuant to the rules adopted under division (D) (7) of 691
this section to verify the accuracy of the information in the 692
statewide voter registration database regarding that elector if 693
that information does not conform with information provided 694
under division (A) (2) (a) of this section and the discrepancy 695
would affect the elector's eligibility to cast a regular ballot. 696

(3) (a) The secretary of state shall enter into agreements 697
to share information or data that is in the possession of the 698
secretary of state with other states or groups of states, as the 699
secretary of state considers necessary, in order to maintain the 700
statewide voter registration database established pursuant to 701
this section. Except as otherwise provided in division (A) (3) (b) 702
of this section, the secretary of state shall ensure that any 703
information or data provided to the secretary of state that is 704
confidential in the possession of the state providing the data 705
remains confidential while in the possession of the secretary of 706
state. 707

(b) The secretary of state may provide such otherwise 708
confidential information or data to persons or organizations 709
that are engaging in legitimate governmental purposes related to 710
the maintenance of the statewide voter registration database. 711
The secretary of state shall adopt rules pursuant to Chapter 712
119. of the Revised Code identifying the persons or 713
organizations who may receive that information or data. The 714
secretary of state shall not share that information or data with 715
a person or organization not identified in those rules. The 716

secretary of state shall ensure that a person or organization 717
that receives confidential information or data under this 718
division keeps the information or data confidential in the 719
person's or organization's possession by, at a minimum, entering 720
into a confidentiality agreement with the person or 721
organization. Any confidentiality agreement entered into under 722
this division shall include a requirement that the person or 723
organization submit to the jurisdiction of this state in the 724
event that the person or organization breaches the agreement. 725

(4) No person or entity that receives information or data 726
under division (A) (3) of this section shall sell the information 727
or data or use the information or data for profit. 728

(5) The secretary of state shall regularly transmit to the 729
boards of elections, to the extent permitted by state and 730
federal law, the information and data the secretary of state 731
receives under divisions (A) (2) and (3) of this section that is 732
necessary to do the following, in order to ensure that the 733
accuracy of the statewide voter registration database is 734
maintained on a regular basis in accordance with applicable 735
state and federal law: 736

(a) Require the boards of elections to maintain the 737
database in a manner that ensures that the name of each 738
registered elector appears in the database, that only 739
individuals who are not registered or eligible to vote are 740
removed from the database, and that duplicate registrations are 741
eliminated from the database; 742

(b) Require the boards of elections to make a reasonable 743
effort to remove individuals who are not eligible to vote from 744
the database; 745

| | |
|---|---------------------------------|
| (c) Establish safeguards to ensure that eligible electors are not removed in error from the database. | 746 747 |
| (B) The statewide voter registration database established under this section shall be the official list of registered voters for all elections conducted in this state. | 748 749 750 |
| (C) The statewide voter registration database established under this section shall, at a minimum, include all of the following: | 751 752 753 |
| (1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections; | 754 755 756 |
| (2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections; | 757 758 759 |
| (3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database; | 760 761 762 763 764 |
| (4) A search program capable of verifying registered voters and their registration information by name, driver's license or state identification card number, birth date, social security number, or current address; | 765 766 767 768 |
| (5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained; | 769 770 771 |
| (6) Methods to retain canceled voter registration records for not less than five years after they are canceled and to | 772 773 |

| | |
|--|--|
| record the reason for their cancellation. | 774 |
| (D) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code doing all of the following: | 775 776 |
| (1) Specifying the manner in which existing voter registration records maintained by boards of elections shall be converted to electronic files for inclusion in the statewide voter registration database; | 777 778 779 780 |
| (2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received; | 781 782 783 784 |
| (3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code; | 785 786 787 |
| (4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database; | 788 789 790 |
| (5) Establishing a process for annually auditing the information contained in the statewide voter registration database; | 791 792 793 |
| (6) Establishing, 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 (A) (2) (a) of this section and the frequency with which the bureau shall provide that information and data; | 794 795 796 797 798 799 |
| (7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration | 800 801 |

database do not conform with records maintained by an agency, 802
state, or group of states described in division (A) (2) (a) or (3) 803
(a) of this section. That method shall prohibit an elector's 804
voter registration from being canceled on the sole basis that 805
the information in the registration record does not conform to 806
records maintained by such an agency. 807

(E) A board of elections promptly shall purge a voter's 808
name and voter registration information from the statewide voter 809
registration database in accordance with the rules adopted by 810
the secretary of state under division (D) (3) of this section 811
after the cancellation of a voter's registration under section 812
3503.21 of the Revised Code. 813

(F) The secretary of state shall provide training in the 814
operation of the statewide voter registration database to each 815
board of elections and to any persons authorized by the 816
secretary of state to add, delete, modify, or print database 817
records, and to conduct updates of the database. 818

(G) (1) The statewide voter registration database 819
established under this section shall be made available on a web 820
site of the office of the secretary of state as follows: 821

(a) Except as otherwise provided in division (G) (1) (b) of 822
this section, the following information from the statewide voter 823
registration database regarding a registered voter shall be made 824
available on the web site: 825

(i) The voter's name; 826

(ii) The voter's address; 827

(iii) The voter's precinct number; 828

(iv) The voter's political party affiliation, if any, and 829

the voter's date of affiliation change, if any, as determined 830
under section 3503.071 of the Revised Code; 831

(v) The voter's voting history. 832

(b) During the thirty days before the day of a primary or 833
general election, the web site interface of the statewide voter 834
registration database shall permit a voter to search for the 835
polling location at which that voter may cast a ballot. 836

(2) The secretary of state shall establish, by rule 837
adopted under Chapter 119. of the Revised Code, a process for 838
boards of elections to notify the secretary of state of changes 839
in the locations of precinct polling places for the purpose of 840
updating the information made available on the secretary of 841
state's web site under division (G) (1) (b) of this section. Those 842
rules shall require a board of elections, during the thirty days 843
before the day of a primary or general election, to notify the 844
secretary of state within one business day of any change to the 845
location of a precinct polling place within the county. 846

(3) During the thirty days before the day of a primary or 847
general election, not later than one business day after 848
receiving a notification from a county pursuant to division (G) 849
(2) of this section that the location of a precinct polling 850
place has changed, the secretary of state shall update that 851
information on the secretary of state's web site for the purpose 852
of division (G) (1) (b) of this section. 853

(H) The secretary of state shall conduct an annual review 854
of the statewide voter registration database as follows: 855

(1) The secretary of state shall compare the information 856
in the statewide voter registration database with the 857
information the secretary of state obtains from the bureau of 858

motor vehicles under division (A) (2) of this section to identify 859
any person who does all of the following, in the following 860
order: 861

(a) Submits documentation to the bureau of motor vehicles 862
that indicates that the person is not a United States citizen; 863

(b) Registers to vote, ~~submits a~~ updates the person's 864
voter registration ~~change of residence or change of name form,~~ 865
or votes in this state; 866

(c) Submits documentation to the bureau of motor vehicles 867
that indicates that the person is not a United States citizen. 868

(2) The secretary of state shall send a written notice to 869
each person identified under division (H) (1) of this section, 870
instructing the person either to confirm that the person is a 871
United States citizen or to submit a completed voter 872
registration cancellation form to the secretary of state. The 873
secretary of state shall include a blank voter registration 874
cancellation form with the notice. If the person fails to 875
respond to the secretary of state in the manner described in 876
division (H) (3) or (4) of this section not later than thirty 877
days after the notice was sent, the secretary of state promptly 878
shall send the person a second notice and form. 879

(3) If, not later than sixty days after the first notice 880
was sent, a person who is sent a notice under division (H) (2) of 881
this section responds to the secretary of state, confirming that 882
the person is a United States citizen, the secretary of state 883
shall take no action concerning the person's voter registration. 884

(4) If, not later than sixty days after the first notice 885
was sent, a person who receives a notice under division (H) (2) 886
of this section sends a completed voter registration 887

cancellation form to the secretary of state, the secretary of 888
state shall instruct the board of elections of the county in 889
which the person is registered to cancel the person's 890
registration. 891

(5) If a person who was sent a second notice under 892
division (H) (2) of this section fails to respond to the 893
secretary of state in the manner described in division (H) (3) or 894
(4) of this section not later than thirty days after the second 895
notice was sent, the secretary of state shall refer the matter 896
to the attorney general for further investigation and possible 897
prosecution under section 3599.11, 3599.12, 3599.13, or any 898
other applicable section of the Revised Code. If, after the 899
thirtieth day after the second notice was sent, the person sends 900
a completed voter registration cancellation form to the 901
secretary of state, the secretary of state shall instruct the 902
board of elections of the county in which the person is 903
registered to cancel the person's registration and shall notify 904
the attorney general of the cancellation. 905

(6) The secretary of state shall not conduct the review 906
described in division (H) of this section during the ninety days 907
immediately preceding a primary or general election for federal 908
office. 909

Sec. 3503.16. ~~(A) Except as otherwise provided in division~~ 910
~~(E) of section 111.44 of the Revised Code, whenever (A) (1)~~ 911
Whenever a registered elector changes the place of residence of 912
that registered elector ~~from one precinct to another within a~~ 913
~~county or from one county to another~~ this state, or has a change 914
of name or a change of political party affiliation, that 915
registered elector shall report the change by ~~delivering a~~ 916
~~change of residence or change of name form, whichever is~~ 917

~~appropriate, as prescribed by the secretary of state under~~ 918
~~section 3503.14 of the Revised Code to the state or local office~~ 919
~~of a designated agency, a public high school or vocational~~ 920
~~school, a public library, the office of the county treasurer,~~ 921
~~the office of the secretary of state, any office of the~~ 922
~~registrar or deputy registrar of motor vehicles, or any office~~ 923
~~of a board of elections in person or by a third person. Any~~ 924
~~voter registration, change of address, or change of name~~ 925
~~application, returned by mail, may be sent only to the secretary~~ 926
~~of state or the board of elections.~~ 927

~~A registered elector also may update the registration of~~ 928
~~that registered elector by filing a change of residence or~~ 929
~~change of name form on the day of a special, primary, or general~~ 930
~~election at the polling place in the precinct in which that~~ 931
~~registered elector resides or at the board of elections or at~~ 932
~~another site designated by the board one of the methods~~ 933
~~described in section 3503.19 of the Revised Code.~~ 934

(2) Any registered elector who wishes to change the 935
elector's political party affiliation before a primary election 936
shall submit a voter registration update form reflecting the 937
change of political party affiliation not later than the last 938
day of December immediately preceding the day of the primary 939
election. If the elector submits a valid voter registration 940
update form at any time after that deadline, the form shall be 941
processed in accordance with section 3503.19 of the Revised 942
Code, but elector shall be eligible to vote that political 943
party's ballot only beginning with the primary election 944
conducted in the calendar year following the year in which the 945
elector submits the form. 946

(B) (1) (a) Any registered elector who moves within a 947

precinct on or prior to the day of a general, primary, or 948
special election and has not ~~filed a notice of~~ reported the 949
change of residence ~~with the board of elections under section~~ 950
3503.19 of the Revised Code may vote in that election by going 951
to that registered elector's assigned polling place, completing 952
and signing a ~~notice of change of residence~~ voter registration 953
update form, showing photo identification, and casting a ballot. 954

(b) Any registered elector who changes the name of that 955
registered elector and remains within a precinct on or prior to 956
the day of a general, primary, or special election and has not 957
~~filed a notice of~~ reported the change of name ~~with the board of~~ 958
~~elections under section 3503.19 of the Revised Code~~ may vote in 959
that election by going to that registered elector's assigned 960
polling place, completing and signing a ~~notice of a change of~~ 961
~~name~~ voter registration update form, and casting a provisional 962
ballot under section 3505.181 of the Revised Code. If the 963
registered elector provides to the precinct election officials 964
proof of a legal name change, such as a marriage license or 965
court order that includes the elector's current and prior names, 966
the elector may complete and sign a ~~notice of change of name~~ 967
voter registration update form and cast a regular ballot. 968

(2) Any registered elector who moves from one precinct to 969
another within a county or moves from one precinct to another 970
and changes the name of that registered elector on or prior to 971
the day of a general, primary, or special election and has not 972
~~filed a notice of~~ reported the change of residence or change of 973
name, whichever is appropriate, ~~with the board of elections~~ 974
under section 3503.19 of the Revised Code may vote in that 975
election if that registered elector complies with division (G) 976
of this section or does all of the following: 977

(a) Appears at anytime during regular business hours on or 978
after the twenty-eighth day prior to the election in which that 979
registered elector wishes to vote or, if the election is held on 980
the day of a presidential primary election, the twenty-fifth day 981
prior to the election, through noon of the Saturday prior to the 982
election at the office of the board of elections, appears at any 983
time during regular business hours on the Monday prior to the 984
election at the office of the board of elections, or appears on 985
the day of the election at either of the following locations: 986

(i) The polling place for the precinct in which that 987
registered elector resides; 988

(ii) The office of the board of elections or, if pursuant 989
to division (C) of section 3501.10 of the Revised Code the board 990
has designated another location in the county at which 991
registered electors may vote, at that other location instead of 992
the office of the board of elections. 993

(b) Completes and signs, under penalty of election 994
falsification, the written affirmation on the provisional ballot 995
envelope, which shall serve as a ~~notice of change of residence~~ 996
~~or change of name, whichever is appropriate~~ voter registration 997
update form; 998

(c) Votes a provisional ballot under section 3505.181 of 999
the Revised Code at the polling place, at the office of the 1000
board of elections, or, if pursuant to division (C) of section 1001
3501.10 of the Revised Code the board has designated another 1002
location in the county at which registered electors may vote, at 1003
that other location instead of the office of the board of 1004
elections, whichever is appropriate, using the address to which 1005
that registered elector has moved or the name of that registered 1006
elector as changed, whichever is appropriate; 1007

(d) Completes and signs, under penalty of election 1008
falsification, a statement attesting that that registered 1009
elector moved or had a change of name, whichever is appropriate, 1010
on or prior to the day of the election, has voted a provisional 1011
ballot at the polling place for the precinct in which that 1012
registered elector resides, at the office of the board of 1013
elections, or, if pursuant to division (C) of section 3501.10 of 1014
the Revised Code the board has designated another location in 1015
the county at which registered electors may vote, at that other 1016
location instead of the office of the board of elections, 1017
whichever is appropriate, and will not vote or attempt to vote 1018
at any other location for that particular election. 1019

(C) Any registered elector who moves from one county to 1020
another county within the state on or prior to the day of a 1021
general, primary, or special election and has not ~~registered to~~ 1022
~~vote in the county to which that registered elector moved~~ 1023
reported the change of residence under section 3503.19 of the 1024
Revised Code may vote in that election if that registered 1025
elector complies with division (G) of this section or does all 1026
of the following: 1027

(1) Appears at any time during regular business hours on 1028
or after the twenty-eighth day prior to the election in which 1029
that registered elector wishes to vote or, if the election is 1030
held on the day of a presidential primary election, the twenty- 1031
fifth day prior to the election, through noon of the Saturday 1032
prior to the election at the office of the board of elections 1033
or, if pursuant to division (C) of section 3501.10 of the 1034
Revised Code the board has designated another location in the 1035
county at which registered electors may vote, at that other 1036
location instead of the office of the board of elections, 1037
appears during regular business hours on the Monday prior to the 1038

election at the office of the board of elections or, if pursuant 1039
to division (C) of section 3501.10 of the Revised Code the board 1040
has designated another location in the county at which 1041
registered electors may vote, at that other location instead of 1042
the office of the board of elections, or appears on the day of 1043
the election at the office of the board of elections or, if 1044
pursuant to division (C) of section 3501.10 of the Revised Code 1045
the board has designated another location in the county at which 1046
registered electors may vote, at that other location instead of 1047
the office of the board of elections; 1048

(2) Completes and signs, under penalty of election 1049
falsification, the written affirmation on the provisional ballot 1050
envelope, which shall serve as a ~~notice of change of residence~~ 1051
voter registration update form; 1052

(3) Votes a provisional ballot under section 3505.181 of 1053
the Revised Code at the office of the board of elections or, if 1054
pursuant to division (C) of section 3501.10 of the Revised Code 1055
the board has designated another location in the county at which 1056
registered electors may vote, at that other location instead of 1057
the office of the board of elections, using the address to which 1058
that registered elector has moved; 1059

(4) Completes and signs, under penalty of election 1060
falsification, a statement attesting that that registered 1061
elector has moved from one county to another county within the 1062
state on or prior to the day of the election, has voted at the 1063
office of the board of elections or, if pursuant to division (C) 1064
of section 3501.10 of the Revised Code the board has designated 1065
another location in the county at which registered electors may 1066
vote, at that other location instead of the office of the board 1067
of elections, and will not vote or attempt to vote at any other 1068

location for that particular election. 1069

(D) A person who votes by absent voter's ballots pursuant 1070
to division ~~(G)~~(E) of this section shall not make written 1071
application for the ballots pursuant to Chapter 3509. of the 1072
Revised Code. Ballots cast pursuant to division ~~(G)~~(E) of this 1073
section shall be set aside in a special envelope and counted 1074
during the official canvass of votes in the manner provided for 1075
in sections 3505.32 and 3509.06 of the Revised Code insofar as 1076
that manner is applicable. The board shall examine the pollbooks 1077
to verify that no ballot was cast at the polls or by absent 1078
voter's ballots under Chapter 3509. or 3511. of the Revised Code 1079
by an elector who has voted by absent voter's ballots pursuant 1080
to division ~~(G)~~(E) of this section. Any ballot determined to be 1081
insufficient for any of the reasons stated above or stated in 1082
section 3509.07 of the Revised Code shall not be counted. 1083

Subject to division (C) of section 3501.10 of the Revised 1084
Code, a board of elections may lease or otherwise acquire a site 1085
different from the office of the board at which registered 1086
electors may vote pursuant to division (B) or (C) of this 1087
section. 1088

~~(E) Upon receiving a notice of change of residence or 1089
change of name, the board of elections shall immediately send 1090
the registrant an acknowledgment notice. If the change of 1091
residence or change of name notice is valid, the board shall 1092
update the voter's registration as appropriate. If that form is 1093
incomplete, the board shall inform the registrant in the 1094
acknowledgment notice specified in this division of the 1095
information necessary to complete or update that registrant's 1096
registration. 1097~~

~~(F) Change of residence and change of name forms shall be 1098~~

~~available at each polling place, and when these forms are~~ 1099
~~completed, noting changes of residence or name, as appropriate,~~ 1100
~~they shall be filed with election officials at the polling~~ 1101
~~place. Election officials shall return completed forms, together~~ 1102
~~with the pollbooks and tally sheets, to the board of elections.~~ 1103

~~The board of elections shall provide change of residence~~ 1104
~~and change of name forms to the probate court and court of~~ 1105
~~common pleas. The court shall provide the forms to any person~~ 1106
~~eighteen years of age or older who has a change of name by order~~ 1107
~~of the court or who applies for a marriage license. The court~~ 1108
~~shall forward all completed forms to the board of elections~~ 1109
~~within five days after receiving them.~~ 1110

~~(G)~~A registered elector who otherwise would qualify to 1111
vote under division (B) or (C) of this section but is unable to 1112
appear at the office of the board of elections or, if pursuant 1113
to division (C) of section 3501.10 of the Revised Code the board 1114
has designated another location in the county at which 1115
registered electors may vote, at that other location, on account 1116
of personal illness, physical disability, or infirmity, may vote 1117
on the day of the election if that registered elector does all 1118
of the following: 1119

(1) Makes a written application on a form prescribed by 1120
the secretary of state that includes all of the information 1121
required under section 3509.03 of the Revised Code to the 1122
appropriate board for an absent voter's ballot on or after the 1123
twenty-seventh day prior to the election in which the registered 1124
elector wishes to vote through the close of business on the 1125
seventh day prior to that election and requests that the absent 1126
voter's ballot be sent to the address to which the registered 1127
elector has moved if the registered elector has moved, or to the 1128

address of that registered elector who has not moved but has had 1129
a change of name; 1130

(2) Declares that the registered elector has moved or had 1131
a change of name, whichever is appropriate, and otherwise is 1132
qualified to vote under the circumstances described in division 1133
(B) or (C) of this section, whichever is appropriate, but that 1134
the registered elector is unable to appear at the board of 1135
elections because of personal illness, physical disability, or 1136
infirmity; 1137

(3) Completes and returns a voter registration update form 1138
along with the completed absent voter's ballot ~~a notice of~~ 1139
~~change of residence indicating the address to which the~~ 1140
~~registered elector has moved, or a notice of change of name,~~ 1141
~~whichever is appropriate;~~ 1142

(4) Completes and signs, under penalty of election 1143
falsification, a statement attesting that the registered elector 1144
has moved or had a change of name on or prior to the day before 1145
the election, has voted by absent voter's ballot because of 1146
personal illness, physical disability, or infirmity that 1147
prevented the registered elector from appearing at the board of 1148
elections, and will not vote or attempt to vote at any other 1149
location or by absent voter's ballot mailed to any other 1150
location or address for that particular election. 1151

Sec. 3503.19. ~~(A) Persons~~ (A) (1) Except as otherwise 1152
provided in division (E) of section 111.44 of the Revised Code, 1153
persons qualified to register or to ~~change~~ update their 1154
registration because of a change of address ~~or,~~ change of name, 1155
or change of political party affiliation may register or ~~change~~ 1156
update their registration ~~in~~ by doing any of the following: 1157

(a) Submitting a voter registration application or a voter registration update form in person or through another 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 ;~~ 1158
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(b) Submitting a voter registration application or a voter registration update form in person or through another person at a probate court or a court of common pleas. The board of elections shall provide the forms to the courts, and the courts shall provide the forms to any person eighteen years of age or older who has a change of name by order of the court or who applies for a marriage license. 1165
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(c) Submitting a voter registration application or a voter registration update form in person, through another person, or by mail at the office of the secretary of state or at the office of a~~any~~ board of elections. A registered elector may also~~change the elector's registration on ;~~ 1172
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(d) Submitting a voter registration application or a voter registration update form through the online voter registration system under section 3503.20 of the Revised Code; 1177
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(e) Submitting a voter registration application or a voter registration update form in person to the election officials on election day at any polling place~~where the elector is eligible to vote, in the manner provided under section 3503.16 of the Revised Code. Voter registration applications and voter registration update forms shall be available at each polling place, and the election officials shall return all completed forms, together with the pollbooks and tally sheets, to the~~ 1180
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board of elections. 1188

(f) In the case of a person who is eligible to vote as a 1189
uniformed services voter or an overseas voter in accordance with 1190
52 U.S.C. 20310, returning the person's completed voter 1191
registration application or voter registration update form 1192
electronically to the office of the secretary of state or to the 1193
board of elections of the county in which the person's voting 1194
residence is located pursuant to Chapter 3511. of the Revised 1195
Code. 1196

(2) (a) Any state or local office of a designated agency, 1197
the office of the registrar or any deputy registrar of motor 1198
vehicles, a public high school or vocational school, a public 1199
library, a probate court or court of common pleas, or the office 1200
of a county treasurer shall date stamp a voter registration 1201
application or voter registration update form it receives using 1202
a date stamp that does not disclose the identity of the state or 1203
local office that receives it and shall transmit any voter 1204
registration the application or change of registration form that 1205
it receives to the board of elections of the county in which the 1206
state or local office is located, within five days after 1207
receiving the ~~voter registration application or change of~~ 1208
~~registration form.~~ 1209

(b) If a board of elections or the office of the secretary 1210
of state receives a voter registration application or voter 1211
registration update form before the thirtieth day before an 1212
election, the board or the office of the secretary of state, as 1213
applicable, shall forward the application or form to the board 1214
of elections of the county in which the applicant resides within 1215
ten days after receiving it. If a board of elections or the 1216
office of the secretary of state receives a voter registration 1217

application or voter registration update form on or after the 1218
thirtieth day before an election, the board or the office of the 1219
secretary of state, as applicable, shall forward the application 1220
or form to the board of elections of the county in which the 1221
applicant resides within thirty days after that election. 1222

(3) Except as otherwise provided in section 3503.16 of the 1223
Revised Code: 1224

(a) An otherwise valid voter registration application that 1225
is returned to the appropriate office other than by mail must be 1226
received by a state or local office of a designated agency, the 1227
office of the registrar or any deputy registrar of motor 1228
vehicles, a public high school or vocational school, a public 1229
library, a probate court or court of common pleas, the office of 1230
a county treasurer, the office of the secretary of state, or the 1231
office of a board of elections no later than the thirtieth day 1232
preceding a primary, special, or general election for the person 1233
to qualify as an elector eligible to vote at that election. An 1234
otherwise valid registration application received after that day 1235
entitles the elector to vote at all subsequent elections. 1236

~~Any state or local office of a designated agency, the~~ 1237
~~office of the registrar or any deputy registrar of motor~~ 1238
~~vehicles, a public high school or vocational school, a public~~ 1239
~~library, or the office of a county treasurer shall date stamp a~~ 1240
~~registration application or change of name or change of address~~ 1241
~~form it receives using a date stamp that does not disclose the~~ 1242
~~identity of the state or local office that receives the~~ 1243
~~registration.~~ 1244

(b) Voter registration applications, if otherwise valid, 1245
that are returned by mail to the office of the secretary of 1246
state or to the office of a board of elections must be 1247

postmarked no later than the thirtieth day preceding a primary, 1248
special, or general election in order for the person to qualify 1249
as an elector eligible to vote at that election. If an otherwise 1250
valid voter registration application that is returned by mail 1251
does not bear a postmark or a legible postmark, the registration 1252
shall be valid for that election if received by the office of 1253
the secretary of state or the office of a board of elections no 1254
later than twenty-five days preceding any special, primary, or 1255
general election. 1256

~~(B) (1)~~ (B) Any person may apply in person, by telephone, 1257
by mail, or through another person for voter registration forms 1258
to the office of the secretary of state or the office of a board 1259
of elections. An individual who is eligible to vote as a 1260
uniformed services voter or an overseas voter in accordance with 1261
42 U.S.C. 1973ff-6 also may apply for voter registration forms 1262
by electronic means to the office of the secretary of state or 1263
to the board of elections of the county in which the person's 1264
voting residence is located pursuant to section 3503.191 of the 1265
Revised Code. 1266

~~(2) (a) An applicant may return the applicant's completed-~~ 1267
~~registration form in person or by mail to any state or local-~~ 1268
~~office of a designated agency, to a public high school or-~~ 1269
~~vocational school, to a public library, to the office of a-~~ 1270
~~county treasurer, to the office of the secretary of state, or to-~~ 1271
~~the office of a board of elections. An applicant who is eligible-~~ 1272
~~to vote as a uniformed services voter or an overseas voter in-~~ 1273
~~accordance with 42 U.S.C. 1973ff-6 also may return the-~~ 1274
~~applicant's completed voter registration form electronically to-~~ 1275
~~the office of the secretary of state or to the board of-~~ 1276
~~elections of the county in which the person's voting residence-~~ 1277
~~is located pursuant to section 3503.191 of the Revised Code.~~ 1278

~~(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.~~ 1279
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~~(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.~~ 1283
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~~(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.~~ 1287
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(C) (1) A board of elections that receives a voter registration application or voter registration update form and is satisfied as to the truth of the statements made in the registration application or form shall register the applicant or update the elector's registration not later than twenty business days after receiving the application, unless that application is received during the thirty days immediately preceding the day of 1302
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an election. The board shall promptly notify the ~~applicant-~~ 1309
person in writing of each of the following: 1310

(a) The ~~applicant's~~ fact that the person is registered to 1311
vote or has had the person's registration updated; 1312

~~(b)~~ (b) (i) The person's political party affiliation, if 1313
any, as determined under section 3503.071 of the Revised Code; 1314

(ii) If the person has had a change of political party 1315
affiliation, the date of the next primary election at which the 1316
person is eligible to cast that party's ballot; 1317

(c) The precinct in which the ~~applicant-~~ person is to vote; 1318

~~(e)~~ (d) In bold type as follows: 1319

"Voters must bring photo identification to the polls in 1320
order to verify identity. Voters who do not provide photo 1321
identification will still be able to vote by casting a 1322
provisional ballot." 1323

The notification shall be by nonforwardable mail. If the 1324
mail is returned to the board, it shall investigate and cause 1325
the notification to be delivered to the correct address. 1326

(2) If, after investigating as required under division (C) 1327
(1) of this section, the board is unable to verify the voter's 1328
correct address, it shall cause the voter's name in the official 1329
registration list and in the poll list or signature pollbook to 1330
be marked to indicate that the voter's notification was returned 1331
to the board. 1332

At the first election at which a voter whose name has been 1333
so marked appears to vote, the voter shall be required to vote 1334
by provisional ballot under section 3505.181 of the Revised 1335
Code. If the provisional ballot is counted pursuant to division 1336

(B) (3) of section 3505.183 of the Revised Code, the board shall 1337
correct that voter's registration, if needed, and shall remove 1338
the indication that the voter's notification was returned from 1339
that voter's name on the official registration list and on the 1340
poll list or signature pollbook. If the provisional ballot is 1341
not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1342
section 3505.183 of the Revised Code, the voter's registration 1343
shall be canceled. The board shall notify the voter by United 1344
States mail of the cancellation. 1345

(3) If a notice of the disposition of an otherwise valid 1346
registration application is sent by nonforwardable mail and is 1347
returned undelivered, the person shall be registered as provided 1348
in division (C) (2) of this section and sent a confirmation 1349
notice by forwardable mail. If the person fails to respond to 1350
the confirmation notice, update the person's registration, or 1351
vote by provisional ballot as provided in division (C) (2) of 1352
this section in any election during the period of two federal 1353
elections subsequent to the mailing of the confirmation notice, 1354
the person's registration shall be canceled. 1355

Sec. 3503.20. (A) The secretary of state shall establish a 1356
secure online voter registration system. The system shall 1357
provide for all of the following: 1358

(1) An applicant to submit a voter registration 1359
application to the secretary of state online through the 1360
internet; 1361

(2) The online applicant to be registered to vote, if all 1362
of the following apply: 1363

(a) The application contains all of the following 1364
information: 1365

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| (i) The applicant's name; | 1366 |
| (ii) The applicant's address; | 1367 |
| (iii) The applicant's date of birth; | 1368 |
| (iv) The last four digits of the applicant's social security number; | 1369 1370 |
| (v) The applicant's Ohio driver's license number or the number of the applicant's state identification card issued under section 4507.50 of the Revised Code. | 1371 1372 1373 |
| (b) The applicant's name, address, and date of birth, the last four digits of the applicant's social security number, and the applicant's Ohio driver's license number or the number of the applicant's state identification card as they are provided in the application are not inconsistent with the information on file with the bureau of motor vehicles; | 1374 1375 1376 1377 1378 1379 |
| (c) The applicant is a United States citizen, will have lived in this state for thirty days immediately preceding the next election, will be at least eighteen years of age on or before the day of the next general election, and is otherwise eligible to register to vote; | 1380 1381 1382 1383 1384 |
| (d) The applicant attests to the truth and accuracy of the information submitted in the online application under penalty of election falsification. | 1385 1386 1387 |
| <u>(3) The application includes the political party affiliation fields and notices described in division (B) (1) of section 3503.071 of the Revised Code.</u> | 1388 1389 1390 |
| (B) If an individual registers to vote or a registered elector updates the elector's name, address, or both <u>registration</u> under this section, the secretary of state shall | 1391 1392 1393 |

obtain an electronic copy of the applicant's or elector's 1394
signature that is on file with the bureau of motor vehicles. 1395
That electronic signature shall be used as the applicant's or 1396
elector's signature on voter registration records, for all 1397
election and signature-matching purposes. 1398

(C) The secretary of state shall employ whatever security 1399
measures the secretary of state considers necessary to ensure 1400
the integrity and accuracy of voter registration information 1401
submitted electronically pursuant to this section. Errors in 1402
processing voter registration applications in the online system 1403
shall not prevent an applicant from becoming registered or from 1404
voting. 1405

(D) The online voter registration application established 1406
under division (A) of this section shall include the following 1407
language: 1408

"By clicking the box below, I affirm all of the following 1409
under penalty of election falsification, which is a felony of 1410
the fifth degree: 1411

(1) I am the person whose name and identifying information 1412
is provided on this form, and I desire to register to vote, or 1413
update my voter registration, in the State of Ohio. 1414

(2) All of the information I have provided on this form is 1415
true and correct as of the date I am submitting this form. 1416

(3) I am a United States citizen. 1417

(4) I will have lived in Ohio for thirty days immediately 1418
preceding the next election. 1419

(5) I will be at least eighteen years of age on or before 1420
the day of the next general election. 1421

(6) I authorize the Bureau of Motor Vehicles to transmit 1422
to the Ohio Secretary of State my signature that is on file with 1423
the Bureau of Motor Vehicles, and I understand and agree that 1424
the signature transmitted by the Bureau of Motor Vehicles will 1425
be used by the Secretary of State to validate this electronic 1426
voter registration application as if I had signed this form 1427
personally." 1428

In order to register to vote or update a voter 1429
registration under division (A) of this section, an applicant or 1430
elector shall be required to mark the box in the online voter 1431
registration application that appears in conjunction with the 1432
previous statement. 1433

~~(E) The online voter registration process established 1434
under division (A) of this section shall be in operation and 1435
available for use by individuals who wish to register to vote or 1436
update their voter registration information online not earlier 1437
than January 1, 2017. During the period beginning on the first 1438
day after the close of voter registration before an election and 1439
ending on the day of the election, the online voter registration 1440
system shall display a notice indicating that the applicant will 1441
not be registered to vote for the purposes of that election. 1442~~

(F) Notwithstanding section 1.50 of the Revised Code, if 1443
any provision of this section or of division (E) of section 1444
3503.14 of the Revised Code is held invalid, or if the 1445
application of any provision of this section or of that division 1446
to any person or circumstance is held invalid, then this section 1447
and that division cease to operate. 1448

Sec. 3503.23. ~~(A)~~ (A) (1) Fourteen days before an election, 1449
the board of elections shall cause to be prepared from the 1450
statewide voter registration database established under section 1451

3503.15 of the Revised Code a complete and official registration list for each precinct, containing the names, addresses, and political party ~~whose ballot the elector voted in the most recent primary election within the current year and the immediately preceding two calendar years,~~ affiliations of all qualified registered voters in the precinct, except as otherwise provided in section 111.44 of the Revised Code. All the names, insofar as practicable, shall be arranged in alphabetical order. The lists may be prepared either in sheet form on one side of the paper or in electronic form, at the discretion of the board. Each precinct list shall be headed "Register of Voters," and under the heading shall be indicated the district or ward and precinct.

(2) In the case of a primary election, the registration list also shall include the date of affiliation change, as determined under section 3503.071 of the Revised Code, for each elector who has such a date.

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

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

(1) By the time the polls open, conspicuously post and

display at the polling place one copy of the registration list 1482
of voters in that precinct in an area of the polling place that 1483
is easily accessible; 1484

(2) At 11 a.m. and 4 p.m. place a mark, on the official 1485
registration list posted at the polling place, before the name 1486
of those registered voters who have voted. 1487

(C) Notwithstanding division (B) of section 3501.35 of the 1488
Revised Code, any person may enter the polling place for the 1489
sole purpose of reviewing the official registration list posted 1490
in accordance with division (B) of this section, provided that 1491
the person does not engage in conduct that would constitute 1492
harassment in violation of the election law, as defined in 1493
section 3501.90 of the Revised Code. 1494

Sec. 3503.28. (A) The secretary of state shall develop an 1495
information brochure regarding voter registration. The brochure 1496
shall include, but is not limited to, all of the following 1497
information: 1498

(1) The applicable deadlines for registering to vote or 1499
for returning an applicant's completed registration form; 1500

(2) The applicable deadline for returning an applicant's 1501
completed registration form if the person returning the form is 1502
being compensated for registering voters; 1503

(3) The manner in which a person may establish or change 1504
the person's political party affiliation; 1505

(4) The locations to which a person may return an 1506
applicant's completed registration form; 1507

~~(4)~~ (5) The location to which a person who is compensated 1508
for registering voters may return an applicant's completed 1509

registration form; 1510

~~(5)~~ (6) The registration and affirmation requirements 1511
applicable to persons who are compensated for registering voters 1512
under section 3503.29 of the Revised Code; 1513

~~(6)~~ (7) A notice, which shall be written in bold type, 1514
stating as follows: 1515

"Voters must bring photo identification to the polls in 1516
order to verify identity. Voters who do not provide photo 1517
identification will still be able to vote by casting a 1518
provisional ballot." 1519

(B) Except as otherwise provided in division (D) of this 1520
section, a board of elections, designated agency, public high 1521
school, public vocational school, public library, office of a 1522
county treasurer, or deputy registrar of motor vehicles shall 1523
distribute a copy of the brochure developed under division (A) 1524
of this section to any person who requests more than two voter 1525
registration forms at one time. 1526

(C) (1) The secretary of state shall provide the 1527
information required to be included in the brochure developed 1528
under division (A) of this section to any person who prints a 1529
voter registration form that is made available on a web site of 1530
the office of the secretary of state. 1531

(2) If a board of elections operates and maintains a web 1532
site, the board shall provide the information required to be 1533
included in the brochure developed under division (A) of this 1534
section to any person who prints a voter registration form that 1535
is made available on that web site. 1536

(D) A board of elections shall not be required to 1537
distribute a copy of a brochure under division (B) of this 1538

section to any of the following officials or employees who are 1539
requesting more than two voter registration forms at one time in 1540
the course of the official's or employee's normal duties: 1541

(1) An election official; 1542

(2) A county treasurer; 1543

(3) A deputy registrar of motor vehicles; 1544

(4) An employee of a designated agency; 1545

(5) An employee of a public high school; 1546

(6) An employee of a public vocational school; 1547

(7) An employee of a public library; 1548

(8) An employee of the office of a county treasurer; 1549

(9) An employee of the bureau of motor vehicles; 1550

(10) An employee of a deputy registrar of motor vehicles; 1551

(11) An employee of an election official. 1552

(E) As used in this section, "registering voters" includes 1553
any effort, for compensation, to provide voter registration 1554
forms or to assist persons in completing or returning those 1555
forms. 1556

Sec. 3505.181. (A) All of the following individuals shall 1557
be permitted to cast a provisional ballot at an election: 1558

(1) An individual who declares that the individual is a 1559
registered voter in the precinct in which the individual desires 1560
to vote and that the individual is eligible to vote in an 1561
election, but the name of the individual does not appear on the 1562
official list of eligible voters for the precinct or an election 1563
official asserts that the individual is not eligible to vote; 1564

- (2) An individual who does not have or is unable to provide photo identification to the election officials; 1565
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- (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; 1567
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- (4) An individual whose notification of registration has been returned undelivered to the board of elections and whose name in the official registration list and in the poll list or signature pollbook has been marked under division (C) (2) of section 3503.19 of the Revised Code; 1572
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- (5) An individual who has been successfully challenged under section 3505.20 or ~~3513.20~~ 3513.19 of the Revised Code; 1577
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- (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; 1579
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- (7) An individual whose signature, in the opinion of the precinct officers under section 3505.22 of the Revised Code, is not that of the person who signed that name in the registration forms. 1588
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- (B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to 1592
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cast a provisional ballot as follows: 1594

(1) An election official at the polling place shall notify 1595
the individual that the individual may cast a provisional ballot 1596
in that election. 1597

(2) Except as otherwise provided in division (F) of this 1598
section, the individual shall complete and execute a written 1599
affirmation before an election official at the polling place 1600
stating that the individual is both of the following: 1601

(a) A registered voter in the precinct in which the 1602
individual desires to vote; 1603

(b) Eligible to vote in that election. 1604

(3) An election official at the polling place shall 1605
transmit the ballot cast by the individual and the voter 1606
information contained in the written affirmation executed by the 1607
individual under division (B) (2) of this section to an 1608
appropriate local election official for verification under 1609
division (B) (4) of this section. 1610

(4) If the appropriate local election official to whom the 1611
ballot or voter or address information is transmitted under 1612
division (B) (3) of this section determines that the individual 1613
is eligible to vote, the individual's provisional ballot shall 1614
be counted as a vote in that election. 1615

(5) (a) At the time that an individual casts a provisional 1616
ballot, the appropriate local election official shall give the 1617
individual written information that states that any individual 1618
who casts a provisional ballot will be able to ascertain under 1619
the system established under division (B) (5) (b) of this section 1620
whether the vote was counted, and, if the vote was not counted, 1621
the reason that the vote was not counted. 1622

(b) The appropriate state or local election official shall 1623
establish a free access system, in the form of a toll-free 1624
telephone number, that any individual who casts a provisional 1625
ballot may access to discover whether the vote of that 1626
individual was counted, and, if the vote was not counted, the 1627
reason that the vote was not counted. The free access system 1628
established under this division also shall provide to an 1629
individual whose provisional ballot was not counted information 1630
explaining how that individual may contact the board of 1631
elections to register to vote or to resolve problems with the 1632
individual's voter registration. 1633

The appropriate state or local election official shall 1634
establish and maintain reasonable procedures necessary to 1635
protect the security, confidentiality, and integrity of personal 1636
information collected, stored, or otherwise used by the free 1637
access system established under this division. The system shall 1638
permit an individual only to gain access to information about 1639
the individual's own provisional ballot. 1640

(6) If, at the time that an individual casts a provisional 1641
ballot, the individual provides photo identification, the 1642
individual shall record the type of identification provided on 1643
the provisional ballot affirmation and, if the individual 1644
provides an Ohio driver's license, state identification card, or 1645
interim identification document, the individual also shall write 1646
the individual's driver's license or state identification card 1647
number on the provisional ballot affirmation. 1648

(7) (a) For a provisional ballot to be eligible to be 1649
counted when it is cast by an individual who does not have photo 1650
identification because the individual has a religious objection 1651
to being photographed, the individual shall complete an 1652

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

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| on the day of each election. | 1712 |
| (E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code: | 1713 |
| (1) "Precinct voting location guide" means either of the following: | 1714 |
| (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; | 1715 |
| (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. | 1716 |
| (2) "Voting information" means all of the following: | 1717 |
| (a) A sample version of the ballot that will be used for that election; | 1718 |
| (b) Information regarding the date of the election and the hours during which polling places will be open; | 1719 |
| (c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot; | 1720 |
| (d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws; | 1721 |
| (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 | 1722 |
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| to have been violated; | 1739 |
| (f) General information on federal and state laws | 1740 |
| regarding prohibitions against acts of fraud and | 1741 |
| misrepresentation. | 1742 |
| (F) Nothing in this section or section 3505.183 of the | 1743 |
| Revised Code is in derogation of section 3505.24 of the Revised | 1744 |
| Code, which permits a blind, disabled, or illiterate elector to | 1745 |
| receive assistance in the marking of the elector's ballot by two | 1746 |
| precinct election officials of different political parties. A | 1747 |
| blind, disabled, or illiterate elector may receive assistance in | 1748 |
| marking that elector's provisional ballot and in completing the | 1749 |
| required affirmation in the same manner as an elector may | 1750 |
| receive assistance on the day of an election under that section. | 1751 |
| Sec. 3509.02. (A) Any qualified elector may vote by absent | 1752 |
| voter's ballots at an election. | 1753 |
| (B) Any qualified elector who is unable to appear at the | 1754 |
| office of the board of elections or, if pursuant to division (C) | 1755 |
| of section 3501.10 of the Revised Code the board has designated | 1756 |
| another location in the county at which registered electors may | 1757 |
| vote, at that other location on account of personal illness, | 1758 |
| physical disability, or infirmity, and who moves from one | 1759 |
| precinct to another within a county, changes the elector's name | 1760 |
| and moves from one precinct to another within a county, or moves | 1761 |
| from one county to another county within the state, on or prior | 1762 |
| to the day of a general, primary, or special election and has | 1763 |
| not filed a notice of change of residence or change of name may | 1764 |
| vote by absent voter's ballots in that election as specified in | 1765 |
| division (C) <u>(E)</u> of section 3503.16 of the Revised Code. | 1766 |
| Sec. 3509.04. (A) If a board of elections receives an | 1767 |

application for absent voter's ballots that does not contain all 1768
of the required information or is not submitted on an 1769
appropriate form, the board promptly shall notify the applicant 1770
of the additional information required to be provided by the 1771
applicant to complete that application, direct the applicant to 1772
use an appropriate form, or both, as applicable. 1773

(B) Upon receipt by the board of elections of an 1774
application for absent voter's ballots that contains all of the 1775
required information and is submitted on an appropriate form, as 1776
provided by section 3509.03 and division ~~(G)~~ (E) of section 1777
3503.16 of the Revised Code, the board, if the board finds that 1778
the applicant is a qualified elector, shall deliver to the 1779
applicant in person or mail directly to the applicant by special 1780
delivery mail, air mail, or regular mail, postage prepaid, 1781
proper absent voter's ballots. The board shall deliver or mail 1782
with the ballots an unsealed identification envelope upon the 1783
face of which shall be printed a form substantially as follows: 1784

"Identification Envelope Statement of Voter 1785

I, _____ (Name of voter), declare under 1786
penalty of election falsification that the within ballot or 1787
ballots contained no voting marks of any kind when I received 1788
them, and I caused the ballot or ballots to be marked, enclosed 1789
in the identification envelope, and sealed in that envelope. 1790

My voting residence in Ohio is 1791

_____ 1792

(Street and Number, if any, or Rural Route and Number) 1793

of _____ (City, Village, or Township) 1794

Ohio, which is in Ward _____ Precinct _____ 1795

in that city, village, or township. 1796

If I have a confidential voter registration record, I am 1797
providing my program participant identification number instead 1798
of my residence address: _____ 1799

The primary election ballots, if any, within this envelope 1800
are primary election ballots of the _____ Party. 1801

Ballots contained within this envelope are to be voted at 1802
the _____ (general, special, or primary) election to be 1803
held on the _____ day of 1804
_____, _____. 1805

My date of birth is _____ (Month and Day), 1806
_____ (Year). 1807

(Voter must provide one of the following:) 1808

My Ohio driver's license or state identification card 1809
number is _____ (Driver's license or state 1810
identification card number). 1811

The last four digits of my Social Security Number are 1812
_____ (Last four digits of Social Security Number). 1813

_____ In lieu of providing a driver's license or state 1814
identification card number or the last four digits of my Social 1815
Security Number, I am enclosing a copy of my photo 1816
identification in the return envelope in which this 1817
identification envelope will be mailed. 1818

I hereby declare, under penalty of election falsification, 1819
that the statements above are true, as I verily believe. 1820

_____ 1821
(Signature of Voter) 1822

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1823

THE FIFTH DEGREE." 1824

The board shall mail with the ballots and the unsealed 1825
identification envelope an unsealed return envelope upon the 1826
face of which shall be printed the post-office address of the 1827
board. In the upper left corner on the face of the return 1828
envelope, several blank lines shall be printed upon which the 1829
voter may write the voter's name and return address. The return 1830
envelope shall be of such size that the identification envelope 1831
can be conveniently placed within it for returning the 1832
identification envelope to the board. 1833

No public office, and no public official or employee who 1834
is acting in an official capacity, shall prepay the return 1835
postage for any absent voter's ballots. 1836

Except as otherwise provided in this section and in 1837
sections 3505.24 and 3509.08 of the Revised Code, an election 1838
official shall not fill out any portion of an identification 1839
envelope statement of voter or an absent voter's ballot on 1840
behalf of an elector. A board of elections may preprint only an 1841
elector's name and address on an identification envelope 1842
statement of voter before mailing absent voter's ballots to the 1843
elector, except that if the elector has a confidential voter 1844
registration record, as described in section 111.44 of the 1845
Revised Code, the board of elections shall not preprint the 1846
elector's address on the identification envelope statement of 1847
voter. 1848

Sec. 3509.07. If election officials find that any of the 1849
following are true concerning an absent voter's ballot or absent 1850
voter's presidential ballot cast under section 3503.16, 3509.05, 1851
3509.08, or 3511.09 of the Revised Code and, if applicable, the 1852
person did not provide any required additional information to 1853

the board of elections not later than the fourth day after the 1854
day of the election, as permitted under division (D) (3) (b) or 1855
(E) (2) of section 3509.06 of the Revised Code, the ballot shall 1856
not be accepted or counted: 1857

(A) The statement accompanying the ballot is incomplete as 1858
described in division (D) (3) (a) of section 3509.06 of the 1859
Revised Code or is insufficient; 1860

(B) The signatures do not correspond with the person's 1861
registration signature; 1862

(C) The applicant is not a qualified elector in the 1863
precinct or for the election in which the elector cast the 1864
ballot; 1865

(D) The ballot envelope contains more than one ballot of 1866
any one kind, or any voted ballot that the elector is not 1867
entitled to vote; 1868

(E) Stub A is detached from the absent voter's ballot or 1869
absent voter's presidential ballot; ~~or~~ 1870

(F) The elector has not included with the elector's ballot 1871
any identification required under section 3509.05 or 3511.09 of 1872
the Revised Code. 1873

The vote of any absent voter may be challenged for cause 1874
in the same manner as other votes are challenged, and the 1875
election officials shall determine the legality of that ballot. 1876
Every ballot not counted shall be endorsed on its back "Not 1877
Counted" with the reasons the ballot was not counted, and shall 1878
be enclosed and returned to or retained by the board of 1879
elections along with the contested ballots. 1880

Sec. 3509.08. (A) Any qualified elector, who, on account 1881

of the elector's own personal illness, physical disability, or 1882
infirmity, or on account of the elector's confinement in a jail 1883
or workhouse under sentence for a misdemeanor or awaiting trial 1884
on a felony or misdemeanor, will be unable to travel from the 1885
elector's home or place of confinement to the voting booth in 1886
the elector's precinct on the day of any general, special, or 1887
primary election may make application in writing for an absent 1888
voter's ballot to the board of elections of the elector's county 1889
in the manner described in section 3509.03 of the Revised Code. 1890
The application shall state the nature of the elector's illness, 1891
physical disability, or infirmity, or the fact that the elector 1892
is confined in a jail or workhouse and the elector's resultant 1893
inability to travel to the election booth in the elector's 1894
precinct on election day. 1895

The absent voter's ballot may be mailed directly to the 1896
applicant at the applicant's voting residence or place of 1897
confinement as stated in the applicant's application, or the 1898
board may designate two board employees belonging to the two 1899
major political parties for the purpose of delivering the ballot 1900
to the disabled or confined elector and returning it to the 1901
board, unless the applicant is confined to a public or private 1902
institution within the county, in which case the board shall 1903
designate two board employees belonging to the two major 1904
political parties for the purpose of delivering the ballot to 1905
the disabled or confined elector and returning it to the board. 1906
In all other instances, the ballot shall be returned to the 1907
office of the board in the manner prescribed in section 3509.05 1908
of the Revised Code. 1909

Any disabled or confined elector who declares to the two 1910
board employees belonging to the two major political parties 1911
that the elector is unable to mark the elector's ballot by 1912

reason of physical infirmity that is apparent to the employees 1913
to be sufficient to incapacitate the voter from marking the 1914
elector's ballot properly, may receive, upon request, the 1915
assistance of the employees in marking the elector's ballot, and 1916
they shall thereafter give no information in regard to this 1917
matter. Such assistance shall not be rendered for any other 1918
cause. 1919

When two board employees belonging to the two major 1920
political parties deliver a ballot to a disabled or confined 1921
elector, each of the employees shall be present when the ballot 1922
is delivered, when assistance is given, and when the ballot is 1923
returned to the office of the board, and shall subscribe to the 1924
declaration on the identification envelope. 1925

The secretary of state shall prescribe the form of 1926
application for absent voter's ballots under this division. 1927

This chapter applies to disabled and confined absent 1928
voter's ballots except as otherwise provided in this section. 1929

(B) (1) Any qualified elector who is unable to travel to 1930
the voting booth in the elector's precinct on the day of any 1931
general, special, or primary election may apply to the board of 1932
elections of the county where the elector is a qualified elector 1933
to vote in the election by absent voter's ballot if either of 1934
the following apply: 1935

(a) The elector is confined in a hospital as a result of 1936
an accident or unforeseeable medical emergency occurring before 1937
the election; 1938

(b) The elector's minor child is confined in a hospital as 1939
a result of an accident or unforeseeable medical emergency 1940
occurring before the election. 1941

(2) The application authorized under division (B) (1) of 1942
this section shall be made in writing in the manner described in 1943
section 3509.03 of the Revised Code, except that the application 1944
shall be delivered to the office of the board not later than 1945
three p.m. on the day of the election. The application shall 1946
indicate the hospital where the applicant or the applicant's 1947
child is confined, the date of the applicant's or the 1948
applicant's child's admission to the hospital, and the offices 1949
for which the applicant is qualified to vote. The applicant may 1950
also request that a member of the applicant's family, as listed 1951
in section 3509.05 of the Revised Code, deliver the absent 1952
voter's ballot to the applicant. The board, after establishing 1953
to the board's satisfaction the validity of the circumstances 1954
claimed by the applicant, shall supply an absent voter's ballot 1955
to be delivered to the applicant. When the applicant or the 1956
applicant's child is in a hospital in the county where the 1957
applicant is a qualified elector and no request is made for a 1958
member of the family to deliver the ballot, the board shall 1959
arrange for the delivery of an absent voter's ballot to the 1960
applicant, and for its return to the office of the board, by two 1961
board employees belonging to the two major political parties 1962
according to the procedures prescribed in division (A) of this 1963
section. When the applicant or the applicant's child is in a 1964
hospital outside the county where the applicant is a qualified 1965
elector and no request is made for a member of the family to 1966
deliver the ballot, the board shall arrange for the delivery of 1967
an absent voter's ballot to the applicant by mail, and the 1968
ballot shall be returned to the office of the board in the 1969
manner prescribed in section 3509.05 of the Revised Code. 1970

(3) Any qualified elector who is eligible to vote under 1971
division (B) or (C) of section 3503.16 of the Revised Code but 1972

is unable to do so because of the circumstances described in 1973
division (B) (2) of this section may vote in accordance with 1974
division (B) (1) of this section if that qualified elector states 1975
in the application for absent voter's ballots that that 1976
qualified elector moved or had a change of name under the 1977
circumstances described in division (B) or (C) of section 1978
3503.16 of the Revised Code and if that qualified elector 1979
complies with divisions ~~(G) (1)~~ (E) (1) to (4) of section 3503.16 1980
of the Revised Code. 1981

(C) Any qualified elector described in division (A) or (B) 1982
(1) of this section who needs no assistance to vote or to return 1983
absent voter's ballots to the board of elections may apply for 1984
absent voter's ballots under section 3509.03 of the Revised Code 1985
instead of applying for them under this section or may cast 1986
absent voter's ballots in person under section 3509.051 of the 1987
Revised Code. 1988

(D) Any qualified elector described in division (A) or (B) 1989
(1) of this section to whom ballots are delivered by two 1990
employees of the board of elections or who votes with the 1991
assistance of two employees of the board of elections shall be 1992
considered to have cast absent voter's ballots by mail, rather 1993
than in person, for the purpose of the laws governing voter 1994
identification. 1995

Sec. 3513.041. A write-in space shall be provided on the 1996
ballot for every office, except in an election for which the 1997
board of elections has received no valid declarations of intent 1998
to be a write-in candidate under this section. Write-in votes 1999
shall not be counted for any candidate who has not filed a 2000
declaration of intent to be a write-in candidate pursuant to 2001
this section. A qualified person who has filed a declaration of 2002

intent may receive write-in votes at either a primary or general election. Any candidate shall file a declaration of intent to be a write-in candidate before four p.m. of the seventy-second day preceding the election at which such candidacy is to be considered. If the election is to be determined by electors of a county or a district or subdivision within the county, such declaration shall be filed with the board of elections of that county. If the election is to be determined by electors of a subdivision located in more than one county, such declaration shall be filed with the board of elections of the county in which the major portion of the population of such subdivision is located. If the election is to be determined by electors of a district comprised of more than one county but less than all of the counties of the state, such declaration shall be filed with the board of elections of the most populous county in such district. Any candidate for an office to be voted upon by electors throughout the entire state shall file a declaration of intent to be a write-in candidate with the secretary of state before four p.m. of the seventy-second day preceding the election at which such candidacy is to be considered. In addition, candidates for president and vice-president of the United States shall also file with the secretary of state by that seventy-second day a slate of presidential electors sufficient in number to satisfy the requirements of the United States constitution.

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

nomination at a primary election or by the filling of a vacancy 2034
under section 3513.30 or 3513.31 of the Revised Code, for any 2035
federal, state, or county office, if the declaration of intent 2036
to be a write-in candidate is for a state or county office, or 2037
for any municipal or township office, for member of a city, 2038
local, or exempted village board of education, or for member of 2039
a governing board of an educational service center, if the 2040
declaration of intent to be a write-in candidate is for a 2041
municipal or township office, or for member of a city, local, or 2042
exempted village board of education, or for member of a 2043
governing board of an educational service center. 2044

No person shall file a declaration of intent to be a 2045
write-in candidate for the office of governor unless the 2046
declaration also shows the intent of another person to be a 2047
write-in candidate for the office of lieutenant governor. No 2048
person shall file a declaration of intent to be a write-in 2049
candidate for the office of lieutenant governor unless the 2050
declaration also shows the intent of another person to be a 2051
write-in candidate for the office of governor. No person shall 2052
file a declaration of intent to be a write-in candidate for the 2053
office of governor or lieutenant governor if the person has 2054
previously filed a declaration of intent to be a write-in 2055
candidate to the office of governor or lieutenant governor at 2056
the same primary or general election. A write-in vote for the 2057
two candidates who file such a declaration shall be counted as a 2058
vote for them as joint candidates for the offices of governor 2059
and lieutenant governor. 2060

The secretary of state shall not accept for filing the 2061
declaration of intent to be a write-in candidate of a person for 2062
the office of governor unless the declaration also shows the 2063
intent of another person to be a write-in candidate for the 2064

office of lieutenant governor, shall not accept for filing the 2065
declaration of intent to be a write-in candidate of a person for 2066
the office of lieutenant governor unless the declaration also 2067
shows the intent of another person to be a write-in candidate 2068
for the office of governor, and shall not accept for filing the 2069
declaration of intent to be a write-in candidate of a person to 2070
the office of governor or lieutenant governor if that person, 2071
for the same election, has already filed a declaration of 2072
candidacy, a declaration of intent to be a write-in candidate, 2073
or a nominating petition, or has become a candidate through 2074
party nomination at a primary election or by the filling of a 2075
vacancy under section 3513.30 or 3513.31 of the Revised Code, 2076
for any other state office or any federal or county office. 2077

Protests against the candidacy of any person filing a 2078
declaration of intent to be a write-in candidate may be filed by 2079
any qualified elector who is eligible to vote in the election at 2080
which the candidacy is to be considered. The protest shall be in 2081
writing and shall be filed not later than four p.m. of the 2082
sixty-seventh day before the day of the election. The protest 2083
shall be filed with the board of elections with which the 2084
declaration of intent to be a write-in candidate was filed. Upon 2085
the filing of the protest, the board with which it is filed 2086
shall promptly fix the time for hearing it and shall proceed in 2087
regard to the hearing in the same manner as for hearings set for 2088
protests filed under section 3513.05 of the Revised Code. At the 2089
time fixed, the board shall hear the protest and determine the 2090
validity or invalidity of the declaration of intent to be a 2091
write-in candidate. If the board finds that the candidate is not 2092
an elector of the state, district, county, or political 2093
subdivision in which the candidate seeks election to office; is 2094
not affiliated with the political party whose nomination or 2095

office the candidate seeks at a primary election, if applicable; 2096
or has not fully complied with the requirements of Title XXXV of 2097
the Revised Code in regard to the candidate's candidacy, the 2098
candidate's declaration of intent to be a write-in candidate 2099
shall be determined to be invalid and shall be rejected; 2100
otherwise, it shall be determined to be valid. The determination 2101
of the board is final. 2102

The secretary of state shall prescribe the form of the 2103
declaration of intent to be a write-in candidate. 2104

Sec. 3513.05. Each person desiring to become a candidate 2105
for a party nomination at a primary election or for election to 2106
an office or position to be voted for at a primary election, 2107
except persons desiring to become joint candidates for the 2108
offices of governor and lieutenant governor and except as 2109
otherwise provided in section 3513.051 of the Revised Code, 2110
shall, not later than four p.m. of the ninetieth day before the 2111
day of the primary election, file a declaration of candidacy and 2112
petition and pay the fees required under divisions (A) and (B) 2113
of section 3513.10 of the Revised Code. The declaration of 2114
candidacy and all separate petition papers shall be filed at the 2115
same time as one instrument. When the offices are to be voted 2116
for at a primary election, persons desiring to become joint 2117
candidates for the offices of governor and lieutenant governor 2118
shall, not later than four p.m. of the ninetieth day before the 2119
day of the primary election, comply with section 3513.04 of the 2120
Revised Code. The prospective joint candidates' declaration of 2121
candidacy and all separate petition papers of candidacies shall 2122
be filed at the same time as one instrument. The secretary of 2123
state or a board of elections shall not accept for filing a 2124
declaration of candidacy and petition of a person seeking to 2125
become a candidate if that person, for the same election, has 2126

already filed a declaration of candidacy or a declaration of 2127
intent to be a write-in candidate, or has become a candidate by 2128
the filling of a vacancy under section 3513.30 of the Revised 2129
Code for any federal, state, or county office, if the 2130
declaration of candidacy is for a state or county office, or for 2131
any municipal or township office, if the declaration of 2132
candidacy is for a municipal or township office. 2133

If the declaration of candidacy declares a candidacy which 2134
is to be submitted to electors throughout the entire state, the 2135
petition, including a petition for joint candidates for the 2136
offices of governor and lieutenant governor, shall be signed by 2137
at least one thousand qualified electors who are ~~members of~~ 2138
affiliated with the same political party as the candidate or 2139
joint candidates, and the declaration of candidacy and petition 2140
shall be filed with the secretary of state; provided that the 2141
secretary of state shall not accept or file any such petition 2142
appearing on its face to contain signatures of more than three 2143
thousand electors. 2144

Except as otherwise provided in this paragraph, if the 2145
declaration of candidacy is of one that is to be submitted only 2146
to electors within a district, political subdivision, or portion 2147
thereof, the petition shall be signed by not less than fifty 2148
qualified electors who are ~~members of~~ affiliated with the same 2149
political party as ~~the political party of which the candidate is~~ 2150
~~a member~~. If the declaration of candidacy is for party 2151
nomination as a candidate for member of the legislative 2152
authority of a municipal corporation elected by ward, the 2153
petition shall be signed by not less than twenty-five qualified 2154
electors who are ~~members of~~ affiliated with the same political 2155
party ~~of which as~~ as the candidate ~~is a member~~. 2156

No such petition, except the petition for a candidacy that 2157
is to be submitted to electors throughout the entire state, 2158
shall be accepted for filing if it appears to contain on its 2159
face signatures of more than three times the minimum number of 2160
signatures. When a petition of a candidate has been accepted for 2161
filing by a board of elections, the petition shall not be deemed 2162
invalid if, upon verification of signatures contained in the 2163
petition, the board of elections finds the number of signatures 2164
accepted exceeds three times the minimum number of signatures 2165
required. A board of elections may discontinue verifying 2166
signatures on petitions when the number of verified signatures 2167
equals the minimum required number of qualified signatures. 2168

If the declaration of candidacy declares a candidacy for 2169
party nomination or for election as a candidate of a minor 2170
party, the minimum number of signatures on such petition is one- 2171
half the minimum number provided in this section, except that, 2172
when the candidacy is one for election as a member of the state 2173
central committee or the county central committee of a political 2174
party, the minimum number shall be the same for a minor party as 2175
for a major party. 2176

If a declaration of candidacy is one for election as a 2177
member of the state central committee or the county central 2178
committee of a political party, the petition shall be signed by 2179
five qualified electors of the district, county, ward, township, 2180
or precinct within which electors may vote for such candidate. 2181
The electors signing such petition shall be ~~members of~~ 2182
affiliated with the same political party as the ~~political party~~ 2183
~~of which the candidate is a member.~~ 2184

~~For purposes of signing or circulating a petition of~~ 2185
~~candidacy for party nomination or election, an elector is~~ 2186

~~considered to be a member of a political party if the elector-~~ 2187
~~voted in that party's primary election within the preceding two-~~ 2188
~~calendar years, or if the elector did not vote in any other-~~ 2189
~~party's primary election within the preceding two calendar-~~ 2190
~~years.~~ 2191

If the declaration of candidacy is of one that is to be 2192
submitted only to electors within a county, or within a district 2193
or subdivision or part thereof smaller than a county, the 2194
petition shall be filed with the board of elections of the 2195
county. If the declaration of candidacy is of one that is to be 2196
submitted only to electors of a district or subdivision or part 2197
thereof that is situated in more than one county, the petition 2198
shall be filed with the board of elections of the county within 2199
which the major portion of the population thereof, as 2200
ascertained by the next preceding federal census, is located. 2201

A petition shall consist of separate petition papers, each 2202
of which shall contain signatures of electors of only one 2203
county. Petitions or separate petition papers containing 2204
signatures of electors of more than one county shall not thereby 2205
be declared invalid. In case petitions or separate petition 2206
papers containing signatures of electors of more than one county 2207
are filed, the board shall determine the county from which the 2208
majority of signatures came, and only signatures from such 2209
county shall be counted. Signatures from any other county shall 2210
be invalid. 2211

Each separate petition paper shall be circulated by one 2212
person only, who shall be the candidate or a joint candidate or 2213
a ~~member of person who is affiliated with~~ the same political 2214
party as the candidate or joint candidates, and each separate 2215
petition paper shall be governed by the rules set forth in 2216

section 3501.38 of the Revised Code. 2217

The secretary of state shall promptly transmit to each 2218
board such separate petition papers of each petition 2219
accompanying a declaration of candidacy filed with the secretary 2220
of state as purport to contain signatures of electors of the 2221
county of such board. The board of the most populous county of a 2222
district shall promptly transmit to each board within such 2223
district such separate petition papers of each petition 2224
accompanying a declaration of candidacy filed with it as purport 2225
to contain signatures of electors of the county of each such 2226
board. The board of a county within which the major portion of 2227
the population of a subdivision, situated in more than one 2228
county, is located, shall promptly transmit to the board of each 2229
other county within which a portion of such subdivision is 2230
located such separate petition papers of each petition 2231
accompanying a declaration of candidacy filed with it as purport 2232
to contain signatures of electors of the portion of such 2233
subdivision in the county of each such board. 2234

All petition papers so transmitted to a board and all 2235
petitions accompanying declarations of candidacy filed with a 2236
board shall, under proper regulations, be open to public 2237
inspection until four p.m. of the eightieth day before the day 2238
of the next primary election. Each board shall, not later than 2239
the seventy-eighth day before the day of that primary election, 2240
examine and determine the validity or invalidity of the 2241
signatures on the petition papers so transmitted to or filed 2242
with it and shall return to the secretary of state all petition 2243
papers transmitted to it by the secretary of state, together 2244
with its certification of its determination as to the validity 2245
or invalidity of signatures thereon, and shall return to each 2246
other board all petition papers transmitted to it by such board, 2247

together with its certification of its determination as to the 2248
validity or invalidity of the signatures thereon. All other 2249
matters affecting the validity or invalidity of such petition 2250
papers shall be determined by the secretary of state or the 2251
board with whom such petition papers were filed. 2252

For purposes of being eligible to sign or circulate a 2253
petition of candidacy for party nomination or election, an 2254
elector is considered to be affiliated with a political party 2255
if, at the time the petition is verified, the elector is 2256
affiliated with that party as determined under section 3503.071 2257
of the Revised Code, and the elector is not ineligible to sign 2258
or circulate the petition under division (D)(1)(b) of that 2259
section. 2260

Protests against the candidacy of any person filing a 2261
declaration of candidacy for party nomination or for election to 2262
an office or position, as provided in this section, may be filed 2263
by any qualified elector who is ~~a member of~~ affiliated with the 2264
same political party as the candidate and who is eligible to 2265
vote at the primary election for the candidate whose declaration 2266
of candidacy the elector objects to, or by the controlling 2267
committee of that political party. The protest shall be in 2268
writing, and shall be filed not later than four p.m. of the 2269
seventy-fourth day before the day of the primary election. The 2270
protest shall be filed with the election officials with whom the 2271
declaration of candidacy and petition was filed. Upon the filing 2272
of the protest, the election officials with whom it is filed 2273
shall promptly fix the time for hearing it, and shall forthwith 2274
mail notice of the filing of the protest and the time fixed for 2275
hearing to the person whose candidacy is so protested. They 2276
shall also forthwith mail notice of the time fixed for such 2277
hearing to the person who filed the protest. At the time fixed, 2278

such election officials shall hear the protest and determine the 2279
validity or invalidity of the declaration of candidacy and 2280
petition. If they find that such candidate is not an elector of 2281
the state, district, county, or political subdivision in which 2282
the candidate seeks a party nomination or election to an office 2283
or position, is not affiliated with the political party, or has 2284
not fully complied with this chapter, the candidate's 2285
declaration of candidacy and petition shall be determined to be 2286
invalid and shall be rejected; otherwise, it shall be determined 2287
to be valid. That determination shall be final. 2288

A protest against the candidacy of any persons filing a 2289
declaration of candidacy for joint party nomination to the 2290
offices of governor and lieutenant governor shall be filed, 2291
heard, and determined in the same manner as a protest against 2292
the candidacy of any person filing a declaration of candidacy 2293
singly. 2294

The secretary of state shall, on the seventieth day before 2295
the day of a primary election, certify to each board in the 2296
state the forms of the official ballots to be used at the 2297
primary election, together with the names of the candidates to 2298
be printed on the ballots whose nomination or election is to be 2299
determined by electors throughout the entire state and who filed 2300
valid declarations of candidacy and petitions. 2301

The board of the most populous county in a district 2302
comprised of more than one county but less than all of the 2303
counties of the state shall, on the seventieth day before the 2304
day of a primary election, certify to the board of each county 2305
in the district the names of the candidates to be printed on the 2306
official ballots to be used at the primary election, whose 2307
nomination or election is to be determined only by electors 2308

within the district and who filed valid declarations of 2309
candidacy and petitions. 2310

The board of a county within which the major portion of 2311
the population of a subdivision smaller than the county and 2312
situated in more than one county is located shall, on the 2313
seventieth day before the day of a primary election, certify to 2314
the board of each county in which a portion of that subdivision 2315
is located the names of the candidates to be printed on the 2316
official ballots to be used at the primary election, whose 2317
nomination or election is to be determined only by electors 2318
within that subdivision and who filed valid declarations of 2319
candidacy and petitions. 2320

Sec. 3513.07. The form of declaration of candidacy and 2321
petition of a person desiring to be a candidate for a party 2322
nomination or a candidate for election to an office or position 2323
to be voted for at a primary election shall be substantially as 2324
follows: 2325

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 2326

I, _____ (Name of Candidate), the 2327
undersigned, hereby declare under penalty of election 2328
falsification that my voting residence is in _____ 2329
precinct of the _____ (Township) or 2330
(Ward and City or Village) in the county of _____, 2331
Ohio; that my voting residence is _____ (Street and 2332
Number, if any, or Rural Route and Number) of the 2333
_____ (City or Village) of 2334
_____, Ohio; and that I am a qualified elector in 2335
the precinct in which my voting residence is located. I am ~~a~~ 2336
~~member of~~ affiliated with the _____ Party. I hereby declare 2337
that I desire to be _____ (a candidate for 2338

nomination as a candidate of the Party for election to the 2339
office of _____) (a candidate for election to the office 2340
or position of _____) for the _____ in the 2341
state, district, (Full term or unexpired term ending 2342
_____) county, city, or village of 2343
_____, at the primary election to be held on the 2344
_____ day of _____, _____, and I hereby request that 2345
my name be printed upon the official primary election ballot of 2346
the said _____ Party as a candidate for _____ (such 2347
nomination) or (such election) as provided by law. 2348

I further declare that, if elected to said office or 2349
position, I will qualify therefor, and that I will support and 2350
abide by the principles enunciated by the _____ Party. 2351

Dated this _____ day of _____, _____ 2352

2353
(Signature of candidate) 2354

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2355
FELONY OF THE FIFTH DEGREE. 2356

PETITION OF CANDIDATE 2357

We, the undersigned, qualified electors of the state of 2358
Ohio, whose voting residence is in the county, city, village, 2359
ward, township, or school district, and precinct set opposite 2360
our names, and ~~members of~~ affiliated with the 2361
_____ Party, hereby certify 2362
that _____ (Name of candidate) whose 2363
declaration of candidacy is filed herewith, is ~~a member of~~ 2364
affiliated with the _____ Party, and is, in our opinion, 2365
well qualified to perform the duties of the office or position 2366
to which that candidate desires to be elected. 2367

Street City, 2368

and Village or 2369

Signature Number Township Ward Precinct County Date 2370

(Must use address on file with the board of elections) 2371

_____ 2372

_____ 2373

_____ 2374

_____ (Name of circulator 2375
of petition), declares under penalty of election falsification 2376
that the circulator of the petition is a qualified elector of 2377
the state of Ohio and resides at the address appearing below the 2378
signature of that circulator; that the circulator is ~~a member of~~ 2379
affiliated with the _____ Party; that the circulator is 2380
the circulator of the foregoing petition paper containing 2381
_____ (Number) signatures; that the circulator witnessed 2382
the affixing of every signature; that all signers were to the 2383
best of the circulator's knowledge and belief qualified to sign; 2384
and that every signature is to the best of the circulator's 2385
knowledge and belief the signature of the person whose signature 2386
it purports to be or of an attorney in fact acting pursuant to 2387
section 3501.382 of the Revised Code. 2388

_____ 2389

(Signature of circulator) 2390

_____ 2391

(Address of circulator's 2392
permanent residence in this 2393
state) 2394

_____ 2395

(If petition is for a 2396

statewide candidate, the 2397

name and address of person 2398

employing to circulate 2399

petition, if any) 2400

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2401

FELONY OF THE FIFTH DEGREE." 2402

The secretary of state shall prescribe a form of 2403

declaration of candidacy and petition, and the form shall be 2404

substantially similar to the declaration of candidacy and 2405

petition set forth in this section, that will be suitable for 2406

joint candidates for the offices of governor and lieutenant 2407

governor. 2408

The petition provided for in this section shall be 2409

circulated only by ~~a member of an~~ an elector who is affiliated with 2410

the same political party as the candidate. 2411

Sec. 3513.18. (A) Party primaries shall be held at the 2412

same place and time, but there shall be separate pollbooks and 2413

tally sheets provided at each polling place for each party 2414

participating in the election. The pollbooks shall include each 2415

elector's political party affiliation, if any, and date of 2416

affiliation change, if any, as determined under section 3503.071 2417

of the Revised Code. An elector may vote a political party's 2418

ballot at a primary election only if both of the following are 2419

true: 2420

(1) The elector is affiliated with that political party. 2421

(2) The elector's date of affiliation change, if any, is 2422
not later than the last day of December immediately preceding 2423
the day of the primary election. 2424

(B) If a special election on a question or issue is held 2425
on the day of a primary election, there shall be provided in the 2426
pollbooks pages on which shall be recorded the names of all 2427
electors voting on said question or issue and not voting in such 2428
primary. ~~It shall not be necessary for electors desiring Any~~ 2429
~~elector may choose to vote only on the question or issue to~~ 2430
~~declare their political affiliation~~ questions or issues 2431
appearing on the ballot. An elector who is not affiliated with 2432
any political party, or whose date of affiliation change is 2433
during the period beginning on the first day of January of the 2434
year of the primary election and ending on the day of the 2435
primary election, shall vote only on the questions or issues 2436
appearing on the ballot. 2437

Sec. 3513.19. (A) It is the duty of any precinct election 2438
official, whenever any such official doubts that a person 2439
attempting to vote at a primary election is legally entitled to 2440
vote at that election, to challenge the right of that person to 2441
vote. The right of a person to vote at a primary election may be 2442
challenged as described in section 3505.20 of the Revised Code 2443
or upon either of the following grounds: 2444

~~(1) That the person whose right to vote is challenged is~~ 2445
~~not a legally qualified elector;~~ 2446

~~(2) That the person has received or has been promised some~~ 2447
~~valuable reward or consideration for the person's vote;~~ 2448

~~(3) That the person is not affiliated with or is not a~~ 2449
~~member of the political party whose ballot the person desires to~~ 2450

~~vote. Such party affiliation shall be, as determined by~~ 2451
~~examining the elector's voting record for the current year and~~ 2452
~~the immediately preceding two calendar years as shown on the~~ 2453
~~voter's registration card, using the standards of affiliation~~ 2454
~~specified in the seventh paragraph of under section 3513.05~~ 2455
~~3503.071 of the Revised Code. Division (A)(3) of this section~~ 2456
~~and the seventh paragraph of section 3513.05 of the Revised Code~~ 2457
~~do not prohibit a person who holds an elective office for which~~ 2458
~~candidates are nominated at a party primary election from doing~~ 2459
~~any of the following:~~ 2460

~~(a) If the person voted as a member of a different~~ 2461
~~political party at any primary election within the current year~~ 2462
~~and the immediately preceding two calendar years, being a~~ 2463
~~candidate for nomination at a party primary held during the~~ 2464
~~times specified in division (C)(2) of section 3513.191 of the~~ 2465
~~Revised Code provided that the person complies with the~~ 2466
~~requirements of that section;~~ 2467

~~(b) Circulating the person's own petition of candidacy for~~ 2468
~~party nomination in the primary election.~~ 2469

~~(B) When the right of a person to vote is challenged upon~~ 2470
~~the ground set forth in division (A)(3) of this section,~~ 2471
~~membership in or political affiliation with a political party~~ 2472
~~shall be determined by the person's statement, made under~~ 2473
~~penalty of election falsification, that the person desires to be~~ 2474
~~affiliated with and supports the principles of the political~~ 2475
~~party whose primary ballot the person desires to vote.~~ 2476

(2) That the person's date of affiliation change, as 2477
determined under section 3503.071 of the Revised Code, is during 2478
the period beginning on the first day of January of the year of 2479
the primary election and ending on the day of the primary 2480

election. 2481

(B) If a majority of the precinct officials finds that the 2482
person is not entitled to vote at the primary election, the 2483
person shall be permitted to vote a provisional ballot under 2484
section 3505.181 of the Revised Code. 2485

Sec. 3513.191. (A) No person shall be a candidate for 2486
nomination or election at a party primary if the person ~~voted as~~ 2487
~~a member of a different~~ is not affiliated with that political 2488
~~party at any primary election within the current year and the~~ 2489
~~immediately preceding two calendar years, as determined under~~ 2490
section 3503.071 of the Revised Code. 2491

~~(B) Notwithstanding division (A) of this section, either~~ 2492
~~of the following persons may be candidates for nomination of any~~ 2493
~~political party at a party primary:~~ 2494

~~(1) A person who does not hold an elective office;~~ 2495

~~(2) A person who holds an elective office other than one~~ 2496
~~for which candidates are nominated at a party primary.~~ 2497

~~(C) (1) Notwithstanding division (A) of this section, a~~ 2498
person who holds an elective office for which candidates are 2499
nominated at a party primary may be a candidate at a primary 2500
election ~~held during the times specified in division (C) (2) of~~ 2501
~~this section~~ for nomination as a candidate of a political party 2502
of which the person is prohibited from being a candidate for 2503
nomination under division (A) of this section, other than the 2504
party that most recently nominated the person as a candidate for 2505
the office the person currently holds, only if all of the 2506
following are true: 2507

(1) The person submits a voter registration update form 2508
reflecting the change of political party affiliation not later 2509

than the last day of December before the primary election or not 2510
later than four p.m. of the thirtieth day before a declaration 2511
of candidacy and petition is required to be filed under section 2512
3513.05 of the Revised Code, whichever is earlier; 2513

(2) The person files a declaration of intent to seek the 2514
nomination of that the person's new party and if, by filing the 2515
declaration, the person has not violated division (C) (3) of this 2516
section. The declaration of intent shall: 2517

(a) Be filed not later than four p.m. of the thirtieth day 2518
before a declaration of candidacy and petition is required to be 2519
filed under section 3513.05 of the Revised Code; 2520

(b) Be filed with the same official with whom the person 2521
filing the declaration of intent is required to file a 2522
declaration of candidacy and petition; 2523

(c) Indicate the political party whose nomination in the 2524
primary election the person seeks; 2525

(d) Be on a form prescribed by the secretary of state. 2526

(3) The person has not violated division (C) of this 2527
section. 2528

~~(2)~~ (C) (1) No person filing a declaration of intent under 2529
division ~~(C) (1)~~ (B) of this section shall be a candidate at any 2530
primary election for nomination for an elective office for which 2531
candidates are nominated at a party primary during the calendar 2532
year in which the person files the declaration or during the 2533
next calendar year except as a candidate of the party indicated 2534
under division ~~(C) (1) (e)~~ (B) (2) (c) of this section. 2535

~~(3)~~ (2) No person who files a declaration of intent under 2536
division ~~(C) (1)~~ (B) (2) of this section shall file another such 2537

declaration for a period of ten years after the declaration is 2538
filed. 2539

~~(4) Notwithstanding the seventh paragraph of section 2540
3513.05 of the Revised Code, a person who complies with this 2541
section may circulate that person's own petition of candidacy 2542
for party nomination at the party primary at which the person 2543
seeks nomination under this section. 2544~~

Sec. 3513.257. Each person desiring who is not affiliated 2545
with a political party, as determined under section 3503.071 of 2546
the Revised Code, and who desires to become an independent 2547
candidate for an office for which candidates may be nominated at 2548
a primary election, except persons desiring to become 2549
independent joint candidates for the offices of governor and 2550
lieutenant governor and for the offices of president and vice- 2551
president of the United States, shall file no later than four 2552
p.m. of the day before the day of the primary election 2553
immediately preceding the general election at which such 2554
candidacy is to be voted for by the voters, a statement of 2555
candidacy and nominating petition as provided in section 2556
3513.261 of the Revised Code. Persons desiring to become 2557
independent joint candidates for the offices of governor and 2558
lieutenant governor shall file, not later than four p.m. of the 2559
day before the day of the primary election, one statement of 2560
candidacy and one nominating petition for the two of them. 2561
Persons desiring to become independent joint candidates for the 2562
offices of president and vice-president of the United States 2563
shall file, not later than four p.m. of the ninetieth day before 2564
the day of the general election at which the president and vice- 2565
president are to be elected, one statement of candidacy and one 2566
nominating petition for the two of them. The prospective 2567
independent joint candidates' statement of candidacy shall be 2568

filed with the nominating petition as one instrument. 2569

The statement of candidacy and separate petition papers of 2570
each candidate or pair of joint candidates shall be filed at the 2571
same time as one instrument. 2572

The nominating petition shall contain signatures of 2573
qualified electors of the district, political subdivision, or 2574
portion of a political subdivision in which the candidacy is to 2575
be voted on in an amount to be determined as follows: 2576

(A) If the candidacy is to be voted on by electors 2577
throughout the entire state, the nominating petition, including 2578
the nominating petition of independent joint candidates for the 2579
offices of governor and lieutenant governor, shall be signed by 2580
no less than five thousand qualified electors, provided that no 2581
petition shall be accepted for filing if it purports to contain 2582
more than fifteen thousand signatures. 2583

(B) If the candidacy is to be voted on by electors in any 2584
district, political subdivision, or part thereof in which less 2585
than five thousand electors voted for the office of governor at 2586
the most recent election for that office, the nominating 2587
petition shall contain signatures of not less than twenty-five 2588
qualified electors of the district, political subdivision, or 2589
part thereof, or a number of qualified signatures equal to at 2590
least five per cent of that vote, if this number is less than 2591
twenty-five. 2592

(C) If the candidacy is to be voted on by electors in any 2593
district, political subdivision, or part thereof in which five 2594
thousand or more electors voted for the office of governor at 2595
the most recent election for that office, the nominating 2596
petition shall contain a number of signatures equal to at least 2597

one per cent of those electors. 2598

All nominating petitions of candidates for offices to be 2599
voted on by electors throughout the entire state shall be filed 2600
in the office of the secretary of state. No nominating petition 2601
for the offices of president and vice-president of the United 2602
States shall be accepted for filing unless there is submitted to 2603
the secretary of state, at the time of filing the petition, a 2604
slate of presidential electors sufficient in number to satisfy 2605
the requirement of the United States Constitution. The secretary 2606
of state shall not accept for filing the statement of candidacy 2607
of a person who desires to be an independent candidate for the 2608
office of governor unless it also shows the joint candidacy of a 2609
person who desires to be an independent candidate for the office 2610
of lieutenant governor, shall not accept for filing the 2611
statement of candidacy of a person who desires to be an 2612
independent candidate for the office of lieutenant governor 2613
unless it also shows the joint candidacy of a person who desires 2614
to be an independent candidate for the office of governor, and 2615
shall not accept for filing the statement of candidacy of a 2616
person who desires to be an independent candidate to the office 2617
of governor or lieutenant governor who, for the same election, 2618
has already filed a declaration of candidacy, a declaration of 2619
intent to be a write-in candidate, or a statement of candidacy, 2620
or has become a candidate by the filling of a vacancy under 2621
section 3513.30 of the Revised Code for any other state office 2622
or any federal or county office. 2623

Nominating petitions of candidates for offices to be voted 2624
on by electors within a district or political subdivision 2625
comprised of more than one county but less than all counties of 2626
the state shall be filed with the boards of elections of that 2627
county or part of a county within the district or political 2628

subdivision which had a population greater than that of any 2629
other county or part of a county within the district or 2630
political subdivision according to the last federal decennial 2631
census. 2632

Nominating petitions for offices to be voted on by 2633
electors within a county or district smaller than a county shall 2634
be filed with the board of elections for such county. 2635

No petition other than the petition of a candidate whose 2636
candidacy is to be considered by electors throughout the entire 2637
state shall be accepted for filing if it appears on its face to 2638
contain more than three times the minimum required number of 2639
signatures. A board of elections shall not accept for filing a 2640
nominating petition of a person seeking to become a candidate if 2641
that person, for the same election, has already filed a 2642
declaration of candidacy, a declaration of intent to be a write- 2643
in candidate, or a nominating petition, or has become a 2644
candidate by the filling of a vacancy under section 3513.30 of 2645
the Revised Code for any federal, state, or county office, if 2646
the nominating petition is for a state or county office, or for 2647
any municipal or township office, for member of a city, local, 2648
or exempted village board of education, or for member of a 2649
governing board of an educational service center, if the 2650
nominating petition is for a municipal or township office, or 2651
for member of a city, local, or exempted village board of 2652
education, or for member of a governing board of an educational 2653
service center. When a petition of a candidate has been accepted 2654
for filing by a board of elections, the petition shall not be 2655
deemed invalid if, upon verification of signatures contained in 2656
the petition, the board of elections finds the number of 2657
signatures accepted exceeds three times the minimum number of 2658
signatures required. A board of elections may discontinue 2659

verifying signatures when the number of verified signatures on a petition equals the minimum required number of qualified signatures.

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

The purpose of establishing a filing deadline for independent candidates prior to the primary election immediately preceding the general election at which the candidacy is to be voted on by the voters is to recognize that the state has a substantial and compelling interest in protecting its electoral process by encouraging political stability, ensuring that the winner of the election will represent a majority of the community, providing the electorate with an understandable ballot, and enhancing voter education, thus fostering informed and educated expressions of the popular will in a general election. The filing deadline for independent candidates required in this section prevents splintered parties and unrestrained factionalism, avoids political fragmentation, and maintains the integrity of the ballot. The deadline, one day prior to the primary election, is the least drastic or restrictive means of protecting these state interests. The general assembly finds that the filing deadline for independent candidates in primary elections required in this section is

reasonably related to the state's purpose of ensuring fair and 2691
honest elections while leaving unimpaired the political, voting, 2692
and associational rights secured by the first and fourteenth 2693
amendments to the United States Constitution. 2694

Sec. 3517.012. (A) (1) When a party formation petition 2695
meeting the requirements of section 3517.01 of the Revised Code 2696
declaring the intention to organize a political party is filed 2697
with the secretary of state, the new party comes into legal 2698
existence on the date of filing and is entitled to nominate 2699
candidates to appear on the ballot at the general election held 2700
in even-numbered years that occurs more than one hundred twenty- 2701
five days after the date of filing. 2702

(2) (a) Upon receiving a party formation petition filed 2703
under division (A) (1) of this section, the secretary of state 2704
shall promptly transmit to each board of elections the separate 2705
petition papers that purport to contain signatures of electors 2706
of that board's county. 2707

(b) Not later than the one hundred eighteenth day before 2708
the day of the general election, each board shall examine and 2709
determine the sufficiency of the signatures on the petition 2710
papers and shall return them to the secretary of state, together 2711
with the board's certification of its determination as to the 2712
validity or invalidity of the signatures on the petition. 2713

(c) Any qualified elector may file a written protest 2714
against the petition with the secretary of state not later than 2715
the one hundred fourteenth day before the day of the general 2716
election. Any such protest shall be resolved in the manner 2717
specified under section 3501.39 of the Revised Code. 2718

(d) Not later than the ninety-fifth day before the day of 2719

the general election, the secretary of state shall determine 2720
whether the party formation petition is sufficient and shall 2721
notify the committee designated in the petition of that 2722
determination. 2723

(B) (1) Not later than one hundred ten days before the day 2724
of that general election and not earlier than the day the 2725
applicable party formation petition is filed, each candidate or 2726
pair of joint candidates wishing to appear on the ballot at the 2727
general election as the nominee or nominees of the party that 2728
filed the party formation petition shall file a nominating 2729
petition, on a form prescribed by the secretary of state, that 2730
includes the name of the political party that submitted the 2731
party formation petition. Except as otherwise provided in this 2732
section and sections 3505.03, 3505.08, 3506.11, 3513.31, 2733
3513.311, and 3513.312 of the Revised Code, the provisions of 2734
the Revised Code concerning independent candidates who file 2735
nominating petitions apply to candidates who file nominating 2736
petitions under this section. 2737

(2) (a) If the candidacy is to be submitted to electors 2738
throughout the entire state, the nominating petition, including 2739
a petition for joint candidates for the offices of governor and 2740
lieutenant governor, shall be signed by at least fifty qualified 2741
electors who ~~have not voted as a member of~~ are not affiliated 2742
with a different political party at any primary election within 2743
the current year or the immediately preceding two calendar 2744
years, as determined under section 3503.071 of the Revised Code. 2745

(b) ~~Except as otherwise provided in this division, if~~ If 2746
the candidacy is to be submitted only to electors within a 2747
district, political subdivision, or portion thereof, the 2748
nominating petition shall be signed by not less than five 2749

qualified electors who ~~have not voted as a member of~~ are not 2750
affiliated with a different political party ~~at any primary~~ 2751
~~election within the current year or the immediately preceding~~ 2752
~~two calendar years,~~ as determined under section 3503.231 of the 2753
Revised Code. 2754

(3) (a) Each board of elections that is responsible to 2755
verify signatures on the nominating petition shall examine and 2756
determine the sufficiency of those signatures not later than the 2757
one hundred fifth day before the day of the general election ~~and~~ 2758
~~shall be resolved as specified in that section.~~ 2759

(b) Written protests against the petition may be filed in 2760
the manner specified under section 3513.263 of the Revised Code 2761
not later than the one hundredth day before the general election 2762
and shall be resolved as specified in that section. 2763

(c) Not later than the ninety-fifth day before the day of 2764
the general election, the secretary of state or the board of 2765
elections, as applicable, shall determine whether the nominating 2766
petition is sufficient and shall notify the candidate and the 2767
committee designated in the party formation petition of that 2768
determination. 2769

(C) (1) After being notified that the political party has 2770
submitted a sufficient party formation petition under division 2771
(A) of this section, the committee designated in a party 2772
formation petition shall, not later than the seventy-fifth day 2773
before the day of the general election, certify to the secretary 2774
of state a slate of candidates consisting of candidates or joint 2775
candidates who submitted sufficient nominating petitions under 2776
division (B) of this section. The slate certifying the 2777
candidates shall be on a form prescribed by the secretary of 2778
state and signed by all of the individuals of the committee 2779

designated in the party formation petition. In no event shall 2780
the slate of candidates include more than one candidate for any 2781
public office or more than one set of joint candidates for the 2782
offices of governor and lieutenant governor. The names of the 2783
candidates or joint candidates so certified shall appear on the 2784
ballot at the general election as that party's nominees for 2785
those offices. For purposes of this division, "joint candidates" 2786
means the joint candidates for the offices of governor and 2787
lieutenant governor. 2788

(2) If a candidate's nominating petition is insufficient 2789
or if the committee does not certify the candidate's name under 2790
division (C) (1) of this section, the candidate shall not appear 2791
on the ballot in the general election. 2792

(3) If a party formation petition is insufficient, no 2793
candidate shall appear on the ballot in the general election as 2794
that political party's nominee, regardless of whether any 2795
candidate's nominating petition is sufficient. 2796

Sec. 3517.013. ~~Section~~ Division (B) of section 3513.191 of 2797
the Revised Code does not apply to persons desiring to become 2798
candidates for party nomination of a newly formed political 2799
party meeting the requirements of sections 3517.011 and 3517.012 2800
of the Revised Code for a period of four calendar years from the 2801
date of the party formation. 2802

Sec. 3599.12. (A) No person shall do any of the following: 2803

(1) Vote or attempt to vote in any primary, special, or 2804
general election in a precinct in which that person is not a 2805
legally qualified elector; 2806

(2) Vote or attempt to vote more than once at the same 2807
election by any means, including voting or attempting to vote 2808

both by absent voter's ballots under division ~~(G)~~(E) of section 2809
3503.16 of the Revised Code and by regular ballot at the polls 2810
at the same election, or voting or attempting to vote both by 2811
absent voter's ballots under division ~~(G)~~(E) of section 3503.16 2812
of the Revised Code and by absent voter's ballots under Chapter 2813
3509. or armed service absent voter's ballots under Chapter 2814
3511. of the Revised Code at the same election; 2815

(3) Impersonate or sign the name of another person, real 2816
or fictitious, living or dead, and vote or attempt to vote as 2817
that other person in any such election; 2818

(4) Cast a ballot at any such election after objection has 2819
been made and sustained to that person's vote; 2820

(5) Knowingly vote or attempt to vote a ballot other than 2821
the official ballot. 2822

(B) Whoever violates division (A) of this section is 2823
guilty of a felony of the fourth degree. 2824

Section 2. That existing sections 3501.01, 3503.09, 2825
3503.10, 3503.11, 3503.14, 3503.15, 3503.16, 3503.19, 3503.20, 2826
3503.23, 3503.28, 3505.181, 3509.02, 3509.04, 3509.07, 3509.08, 2827
3513.041, 3513.05, 3513.07, 3513.18, 3513.19, 3513.191, 2828
3513.257, 3517.012, 3517.013, and 3599.12 of the Revised Code 2829
are hereby repealed. 2830

Section 3. That sections 3513.192 and 3513.20 of the 2831
Revised Code are hereby repealed. 2832