

**As Reported by the House Government Oversight Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 294**

**Representatives Seitz, Ray**

**Cosponsors: Representatives Ginter, Carfagna, Jones, Abrams, Baldrige, Bird, Carruthers, Click, Cross, Cutrona, Fraizer, Ghanbari, Hall, Hillyer, Holmes, Kick, Lampton, LaRe, Lipps, Loychik, McClain, Plummer, Richardson, Riedel, Roemer, Schmidt, Wilkin**

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**A BILL**

To amend sections 302.03, 323.17, 3501.01, 3501.05, 1  
3501.11, 3501.22, 3503.16, 3505.13, 3505.14, 2  
3506.14, 3509.01, 3509.03, 3509.04, 3509.05, 3  
3509.051, 3509.06, 3509.08, 3509.09, 3511.02, 4  
3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 5  
3511.09, 3511.10, 3511.11, 3511.13, 3513.301, 6  
3513.312, 3521.03, 3599.21, 4506.11, 4507.13, 7  
4507.51, and 4507.52 and to enact sections 8  
3505.19, 3506.24, 3509.031, 3521.031, and 9  
4507.233 of the Revised Code to modify the law 10  
governing absent voting, to make other changes 11  
to the Election Law, and to make an 12  
appropriation. 13

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

**Section 1.** That sections 302.03, 323.17, 3501.01, 3501.05, 14  
3501.11, 3501.22, 3503.16, 3505.13, 3505.14, 3506.14, 3509.01, 15  
3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.08, 3509.09, 16  
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 17

3511.10, 3511.11, 3511.13, 3513.301, 3513.312, 3521.03, 3599.21, 18  
4506.11, 4507.13, 4507.51, and 4507.52 be amended and sections 19  
3505.19, 3506.24, 3509.031, 3521.031, and 4507.233 of the 20  
Revised Code be enacted to read as follows: 21

**Sec. 302.03.** (A) The board of county commissioners of any 22  
county may, by a two-thirds vote of the board, or shall, upon 23  
petition by ~~three-ten~~ per cent of the electors of the county as 24  
determined by the number of votes cast therein for the office of 25  
governor at the most recent gubernatorial election, by 26  
resolution, cause the board of elections in the county to submit 27  
to the electors of the county the question of adopting one of 28  
the alternative forms of county government authorized by 29  
sections 302.01 to 302.24 of the Revised Code. The question 30  
shall be voted upon at the next general election occurring not 31  
less than ninety days after the certification of the resolution 32  
to the board of elections. 33

(B) If, in any county, a resolution is adopted by the 34  
board of county commissioners requiring that the question of 35  
choosing a commission to frame a county charter be submitted to 36  
the electors thereof prior to the resolution provided for in 37  
this section, the proposition to adopt an alternative form of 38  
county government provided in sections 302.01 to 302.24 of the 39  
Revised Code, shall not be submitted in that county as long as 40  
the question of choosing such commission or of adopting a 41  
charter framed by such commission is pending therein. 42

(C) Any proposition for an alternative form of county 43  
government shall specify the number of members of the board of 44  
county commissioners, how many shall be elected at large, or how 45  
many shall be elected by districts. 46

**Sec. 323.17.** When any taxing authority in the county has 47

certified to the board of elections a resolution that would 48  
serve to place upon the ballot at a general election or at any 49  
special election held prior to the general election but 50  
subsequent to the first Tuesday after the first Monday in ~~August~~ 51  
May the question of a tax to be levied on the current tax list 52  
and duplicate for any purpose, or if the auditor has not 53  
received the certified reduction factors as required by division 54  
(D) (2) of section 319.301 of the Revised Code, the time for 55  
delivery of the tax duplicate of the county treasurer by the 56  
county auditor as provided in section 319.28 of the Revised Code 57  
shall be extended to the first Monday in December. When delivery 58  
of the tax duplicate has been so delayed, the times for payment 59  
of taxes as fixed by section 323.12 of the Revised Code may be 60  
extended to the thirty-first day of January and the twentieth 61  
day of July. In case of emergency the tax commissioner may, by 62  
journal entry, extend the times for delivery of the duplicate in 63  
any county for an additional fifteen days upon receipt of a 64  
written application from the county auditor, in the case of a 65  
delay in the delivery of the tax duplicate, or from the 66  
treasurer regarding an extension of the time for the billing and 67  
collection of taxes. 68

When a delay in the closing of a tax collection period 69  
becomes unavoidable, the tax commissioner, upon application of 70  
the county auditor and county treasurer, may extend the time for 71  
payment of taxes if ~~he~~ the commissioner determines that 72  
penalties have accrued or would otherwise accrue for reasons 73  
beyond the control of the taxpayers of the county. The order so 74  
issued by the commissioner shall prescribe the final extended 75  
date for the payment of taxes for that collection period. 76

"Emergency," as used in this section, includes death or 77  
serious illness, any organized work stoppage, mechanical failure 78

of office equipment or machinery, or a delay in complying with 79  
section 5715.24 or 5715.26 of the Revised Code which will cause 80  
an unavoidable delay in the delivery of duplicates or in the 81  
billing or collection of taxes. Such application shall contain a 82  
statement describing the emergency that will cause the 83  
unavoidable delay. Any application from the county auditor for 84  
an extension of time for delivery of the duplicate due to an 85  
emergency must be received by the tax commissioner on or before 86  
the last day of the month preceding the date required for such 87  
delivery. When an extension of time for delivery of the 88  
duplicate is so granted, the time for payment of taxes shall be 89  
extended for a like period of time. 90

Whenever taxable real property has been destroyed or 91  
damaged by fire, flood, tornado, or otherwise, in an amount not 92  
less than twenty-five per cent of the value as listed and 93  
assessed for taxation but in no event less than two thousand 94  
dollars of taxable value, the county board of revision, by 95  
resolution, may extend the time for payment of taxes on such 96  
property not more than one year after the time fixed by section 97  
323.12 of the Revised Code. The board shall file a copy of such 98  
resolution with the county auditor and county treasurer, stating 99  
the name of the owner and description as it appears on the tax 100  
list, the taxing district, the type and kind of property 101  
destroyed or damaged, and the board's estimate of the amount of 102  
such destruction or damage. 103

**Sec. 3501.01.** As used in the sections of the Revised Code 104  
relating to elections and political communications: 105

(A) "General election" means the election held on the 106  
first Tuesday after the first Monday in each November. 107

(B) "Regular municipal election" means the election held 108

on the first Tuesday after the first Monday in November in each 109  
odd-numbered year. 110

(C) "Regular state election" means the election held on 111  
the first Tuesday after the first Monday in November in each 112  
even-numbered year. 113

(D) "Special election" means any election other than those 114  
elections defined in other divisions of this section. A special 115  
election may be held only on the first Tuesday after the first 116  
Monday in May, ~~August~~, or November, on the first Tuesday after 117  
the first Monday in August in accordance with section 3505.19 or 118  
3521.031 of the Revised Code, or on the day authorized by a 119  
particular municipal or county charter for the holding of a 120  
primary election, except that in any year in which a 121  
presidential primary election is held, no special election shall 122  
be held in May, except as authorized by a municipal or county 123  
charter, but may be held on the third Tuesday after the first 124  
Monday in March. 125

(E) (1) "Primary" or "primary election" means an election 126  
held for the purpose of nominating persons as candidates of 127  
political parties for election to offices, and for the purpose 128  
of electing persons as members of the controlling committees of 129  
political parties and as delegates and alternates to the 130  
conventions of political parties. Primary elections shall be 131  
held on the first Tuesday after the first Monday in May of each 132  
year except in years in which a presidential primary election is 133  
held. 134

(2) "Presidential primary election" means a primary 135  
election as defined by division (E) (1) of this section at which 136  
an election is held for the purpose of choosing delegates and 137  
alternates to the national conventions of the major political 138

parties pursuant to section 3513.12 of the Revised Code. Unless 139  
otherwise specified, presidential primary elections are included 140  
in references to primary elections. In years in which a 141  
presidential primary election is held, all primary elections 142  
shall be held on the third Tuesday after the first Monday in 143  
March except as otherwise authorized by a municipal or county 144  
charter. 145

(F) "Political party" means any group of voters meeting 146  
the requirements set forth in section 3517.01 of the Revised 147  
Code for the formation and existence of a political party. 148

(1) "Major political party" means any political party 149  
organized under the laws of this state whose candidate for 150  
governor or nominees for presidential electors received not less 151  
than twenty per cent of the total vote cast for such office at 152  
the most recent regular state election. 153

(2) "Minor political party" means any political party 154  
organized under the laws of this state that meets either of the 155  
following requirements: 156

(a) Except as otherwise provided in this division, the 157  
political party's candidate for governor or nominees for 158  
presidential electors received less than twenty per cent but not 159  
less than three per cent of the total vote cast for such office 160  
at the most recent regular state election. A political party 161  
that meets the requirements of this division remains a political 162  
party for a period of four years after meeting those 163  
requirements. 164

(b) The political party has filed with the secretary of 165  
state, subsequent to its failure to meet the requirements of 166  
division (F) (2) (a) of this section, a petition that meets the 167

requirements of section 3517.01 of the Revised Code. 168

A newly formed political party shall be known as a minor 169  
political party until the time of the first election for 170  
governor or president which occurs not less than twelve months 171  
subsequent to the formation of such party, after which election 172  
the status of such party shall be determined by the vote for the 173  
office of governor or president. 174

(G) "Dominant party in a precinct" or "dominant political 175  
party in a precinct" means that political party whose candidate 176  
for election to the office of governor at the most recent 177  
regular state election at which a governor was elected received 178  
more votes than any other person received for election to that 179  
office in such precinct at such election. 180

(H) "Candidate" means any qualified person certified in 181  
accordance with the provisions of the Revised Code for placement 182  
on the official ballot of a primary, general, or special 183  
election to be held in this state, or any qualified person who 184  
claims to be a write-in candidate, or who knowingly assents to 185  
being represented as a write-in candidate by another at either a 186  
primary, general, or special election to be held in this state. 187

(I) "Independent candidate" means any candidate who claims 188  
not to be affiliated with a political party, and whose name has 189  
been certified on the office-type ballot at a general or special 190  
election through the filing of a statement of candidacy and 191  
nominating petition, as prescribed in section 3513.257 of the 192  
Revised Code. 193

(J) "Nonpartisan candidate" means any candidate whose name 194  
is required, pursuant to section 3505.04 of the Revised Code, to 195  
be listed on the nonpartisan ballot, including all candidates 196

for judge of a municipal court, county court, or court of common 197  
pleas, for member of any board of education, for municipal or 198  
township offices in which primary elections are not held for 199  
nominating candidates by political parties, and for offices of 200  
municipal corporations having charters that provide for separate 201  
ballots for elections for these offices. 202

(K) "Party candidate" means any candidate who claims to be 203  
a member of a political party and who has been certified to 204  
appear on the office-type ballot at a general or special 205  
election as the nominee of a political party because the 206  
candidate has won the primary election of the candidate's party 207  
for the public office the candidate seeks, has been nominated 208  
under section 3517.012, or is selected by party committee in 209  
accordance with section 3513.31 of the Revised Code. 210

(L) "Officer of a political party" includes, but is not 211  
limited to, any member, elected or appointed, of a controlling 212  
committee, whether representing the territory of the state, a 213  
district therein, a county, township, a city, a ward, a 214  
precinct, or other territory, of a major or minor political 215  
party. 216

(M) "Question or issue" means any question or issue 217  
certified in accordance with the Revised Code for placement on 218  
an official ballot at a general or special election to be held 219  
in this state. 220

(N) "Elector" or "qualified elector" means a person having 221  
the qualifications provided by law to be entitled to vote. 222

(O) "Voter" means an elector who votes at an election. 223

(P) "Voting residence" means that place of residence of an 224  
elector which shall determine the precinct in which the elector 225



may vote.	226
(Q) "Precinct" means a district within a county	227
established by the board of elections of such county within	228
which all qualified electors having a voting residence therein	229
may vote at the same polling place.	230
(R) "Polling place" means that place provided for each	231
precinct at which the electors having a voting residence in such	232
precinct may vote.	233
(S) "Board" or "board of elections" means the board of	234
elections appointed in a county pursuant to section 3501.06 of	235
the Revised Code.	236
(T) "Political subdivision" means a county, township,	237
city, village, or school district.	238
(U) "Election officer" or "election official" means any of	239
the following:	240
(1) Secretary of state;	241
(2) Employees of the secretary of state serving the	242
division of elections in the capacity of attorney,	243
administrative officer, administrative assistant, elections	244
administrator, office manager, or clerical supervisor;	245
(3) Director of a board of elections;	246
(4) Deputy director of a board of elections;	247
(5) Member of a board of elections;	248
(6) Employees of a board of elections;	249
(7) Precinct election officials;	250
(8) Employees appointed by the boards of elections on a	251

temporary or part-time basis. 252

(V) "Acknowledgment notice" means a notice sent by a board 253  
of elections, on a form prescribed by the secretary of state, 254  
informing a voter registration applicant or an applicant who 255  
wishes to change the applicant's residence or name of the status 256  
of the application; the information necessary to complete or 257  
update the application, if any; and if the application is 258  
complete, the precinct in which the applicant is to vote. 259

(W) "Confirmation notice" means a notice sent by a board 260  
of elections, on a form prescribed by the secretary of state, to 261  
a registered elector to confirm the registered elector's current 262  
address. 263

(X) "Designated agency" means an office or agency in the 264  
state that provides public assistance or that provides state- 265  
funded programs primarily engaged in providing services to 266  
persons with disabilities and that is required by the National 267  
Voter Registration Act of 1993 to implement a program designed 268  
and administered by the secretary of state for registering 269  
voters, or any other public or government office or agency that 270  
implements a program designed and administered by the secretary 271  
of state for registering voters, including the department of job 272  
and family services, the program administered under section 273  
3701.132 of the Revised Code by the department of health, the 274  
department of mental health and addiction services, the 275  
department of developmental disabilities, the opportunities for 276  
Ohioans with disabilities agency, and any other agency the 277  
secretary of state designates. "Designated agency" does not 278  
include public high schools and vocational schools, public 279  
libraries, or the office of a county treasurer. 280

(Y) "National Voter Registration Act of 1993" means the 281

"National Voter Registration Act of 1993," 107 Stat. 77, 42	282
U.S.C.A. 1973gg.	283
(Z) "Voting Rights Act of 1965" means the "Voting Rights	284
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended.	285
(AA) "Photo identification" means a document that meets	286
each of the following requirements:	287
(1) It shows the name of the individual to whom it was	288
issued, which shall conform to the name in the poll list or	289
signature pollbook.	290
(2) It shows the current address of the individual to whom	291
it was issued, which shall conform to the address in the poll	292
list or signature pollbook, except for a driver's license or a	293
state identification card issued under section 4507.50 of the	294
Revised Code, which may show either the current or former	295
address of the individual to whom it was issued, regardless of	296
whether that address conforms to the address in the poll list or	297
signature pollbook.	298
(3) It shows a photograph of the individual to whom it was	299
issued.	300
(4) It includes an expiration date that has not passed.	301
(5) It was issued by the government of the United States	302
or this state.	303
<b>Sec. 3501.05.</b> The secretary of state shall do all of the	304
following:	305
(A) Appoint all members of boards of elections;	306
(B) Issue instructions by directives and advisories in	307
accordance with section 3501.053 of the Revised Code to members	308

of the boards as to the proper methods of conducting elections.	309
(C) Prepare rules and instructions for the conduct of elections;	310 311
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	312 313 314
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	315 316
(F) Prescribe the form of registration cards, blanks, and records;	317 318
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	319 320 321 322
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	323 324 325
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	326 327 328 329 330
(J) Except as otherwise provided in division (I) (2) (b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	331 332 333 334 335
(K) Receive all initiative and referendum petitions on	336

state questions and issues and determine and certify to the 337  
sufficiency of those petitions; 338

(L) Require such reports from the several boards as are 339  
provided by law, or as the secretary of state considers 340  
necessary; 341

(M) Compel the observance by election officers in the 342  
several counties of the requirements of the election laws; 343

(N) (1) Except as otherwise provided in division (N) (2) of 344  
this section, investigate the administration of election laws, 345  
frauds, and irregularities in elections in any county, and 346  
report violations of election laws to the attorney general or 347  
prosecuting attorney, or both, for prosecution; 348

(2) On and after August 24, 1995, report a failure to 349  
comply with or a violation of a provision in sections 3517.08 to 350  
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 351  
Code, whenever the secretary of state has or should have 352  
knowledge of a failure to comply with or a violation of a 353  
provision in one of those sections, by filing a complaint with 354  
the Ohio elections commission under section 3517.153 of the 355  
Revised Code. 356

(O) Make an annual report to the governor containing the 357  
results of elections, the cost of elections in the various 358  
counties, a tabulation of the votes in the several political 359  
subdivisions, and other information and recommendations relative 360  
to elections the secretary of state considers desirable; 361

(P) Prescribe and distribute to boards of elections a list 362  
of instructions indicating all legal steps necessary to petition 363  
successfully for local option elections under sections 4301.32 364  
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 365

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

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

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

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

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

(S) Prescribe a program of distribution of voter registration forms through boards of elections, designated agencies, offices of the registrar and deputy registrars of

motor vehicles, public high schools and vocational schools,	395
public libraries, and offices of county treasurers;	396
(T) To the extent feasible, provide copies, at no cost and	397
upon request, of the voter registration form in post offices in	398
this state;	399
(U) Adopt rules pursuant to section 111.15 of the Revised	400
Code for the purpose of implementing the program for registering	401
voters through boards of elections, designated agencies, and the	402
offices of the registrar and deputy registrars of motor vehicles	403
consistent with this chapter;	404
(V) Establish the full-time position of Americans with	405
Disabilities Act coordinator within the office of the secretary	406
of state to do all of the following:	407
(1) Assist the secretary of state with ensuring that there	408
is equal access to polling places for persons with disabilities;	409
(2) Assist the secretary of state with ensuring that each	410
voter may cast the voter's ballot in a manner that provides the	411
same opportunity for access and participation, including privacy	412
and independence, as for other voters;	413
(3) Advise the secretary of state in the development of	414
standards for the certification of voting machines, marking	415
devices, and automatic tabulating equipment.	416
(W) Establish and maintain a computerized statewide	417
database of all legally registered voters under section 3503.15	418
of the Revised Code that complies with the requirements of the	419
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat.	420
1666, and provide training in the operation of that system;	421
(X) Ensure that all directives, advisories, other	422

instructions, or decisions issued or made during or as a result 423  
of any conference or teleconference call with a board of 424  
elections to discuss the proper methods and procedures for 425  
conducting elections, to answer questions regarding elections, 426  
or to discuss the interpretation of directives, advisories, or 427  
other instructions issued by the secretary of state are posted 428  
on a web site of the office of the secretary of state as soon as 429  
is practicable after the completion of the conference or 430  
teleconference call, but not later than the close of business on 431  
the same day as the conference or teleconference call takes 432  
place. 433

(Y) Publish a report on a web site of the office of the 434  
secretary of state not later than one month after the completion 435  
of the canvass of the election returns for each primary and 436  
general election, identifying, by county, the number of absent 437  
voter's ballots cast and the number of those ballots that were 438  
counted, and the number of provisional ballots cast and the 439  
number of those ballots that were counted, for that election. 440  
The secretary of state shall maintain the information on the web 441  
site in an archive format for each subsequent election. 442

(Z) Conduct voter education outlining voter 443  
identification, absent voters ballot, provisional ballot, and 444  
other voting requirements; 445

(AA) Establish a procedure by which a registered elector 446  
may make available to a board of elections a more recent 447  
signature to be used in the poll list or signature pollbook 448  
produced by the board of elections of the county in which the 449  
elector resides; 450

(BB) Disseminate information, which may include all or 451  
part of the official explanations and arguments, by means of 452



direct mail or other written publication, broadcast, or other 453  
means or combination of means, as directed by the Ohio ballot 454  
board under division (F) of section 3505.062 of the Revised 455  
Code, in order to inform the voters as fully as possible 456  
concerning each proposed constitutional amendment, proposed law, 457  
or referendum; 458

(CC) Be the single state office responsible for the 459  
implementation of the "Uniformed and Overseas Citizens Absentee 460  
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 461  
1973ff, et seq., as amended, in this state. The secretary of 462  
state may delegate to the boards of elections responsibilities 463  
for the implementation of that act, including responsibilities 464  
arising from amendments to that act made by the "Military and 465  
Overseas Voter Empowerment Act," Subtitle H of the "National 466  
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 467  
111-84, 123 Stat. 3190. 468

(DD) Adopt rules, under Chapter 119. of the Revised Code, 469  
to establish procedures and standards for determining when a 470  
board of elections shall be placed under the official oversight 471  
of the secretary of state, placing a board of elections under 472  
the official oversight of the secretary of state, a board that 473  
is under official oversight to transition out of official 474  
oversight, and the secretary of state to supervise a board of 475  
elections that is under official oversight of the secretary of 476  
state. 477

(EE) Perform other duties required by law. 478

Whenever a primary election is held under section 3513.32 479  
of the Revised Code or a special election is held under section 480  
3521.03 of the Revised Code to fill a vacancy in the office of 481  
representative to congress, the secretary of state shall 482

establish a deadline, notwithstanding any other deadline 483  
required under the Revised Code, by which any or all of the 484  
following shall occur: the filing of a declaration of candidacy 485  
and petitions or a statement of candidacy and nominating 486  
petition together with the applicable filing fee; the filing of 487  
protests against the candidacy of any person filing a 488  
declaration of candidacy or nominating petition; the filing of a 489  
declaration of intent to be a write-in candidate; the filing of 490  
campaign finance reports; the preparation of, and the making of 491  
corrections or challenges to, precinct voter registration lists; 492  
the receipt of applications for absent voter's ballots or 493  
uniformed services or overseas absent voter's ballots; the 494  
supplying of election materials to precincts by boards of 495  
elections; the holding of hearings by boards of elections to 496  
consider challenges to the right of a person to appear on a 497  
voter registration list; and the scheduling of programs to 498  
instruct or reinstruct election officers. 499

In the performance of the secretary of state's duties as 500  
the chief election officer, the secretary of state may 501  
administer oaths, issue subpoenas, summon witnesses, compel the 502  
production of books, papers, records, and other evidence, and 503  
fix the time and place for hearing any matters relating to the 504  
administration and enforcement of the election laws. 505

In any controversy involving or arising out of the 506  
adoption of registration or the appropriation of funds for 507  
registration, the secretary of state may, through the attorney 508  
general, bring an action in the name of the state in the court 509  
of common pleas of the county where the cause of action arose or 510  
in an adjoining county, to adjudicate the question. 511

In any action involving the laws in Title XXXV of the 512

Revised Code wherein the interpretation of those laws is in 513  
issue in such a manner that the result of the action will affect 514  
the lawful duties of the secretary of state or of any board of 515  
elections, the secretary of state may, on the secretary of 516  
state's motion, be made a party. 517

The secretary of state may apply to any court that is 518  
hearing a case in which the secretary of state is a party, for a 519  
change of venue as a substantive right, and the change of venue 520  
shall be allowed, and the case removed to the court of common 521  
pleas of an adjoining county named in the application or, if 522  
there are cases pending in more than one jurisdiction that 523  
involve the same or similar issues, the court of common pleas of 524  
Franklin county. 525

Public high schools and vocational schools, public 526  
libraries, and the office of a county treasurer shall implement 527  
voter registration programs as directed by the secretary of 528  
state pursuant to this section. 529

The secretary of state may mail unsolicited applications 530  
for absent voter's ballots to individuals only for a general 531  
election and only if the general assembly has made an 532  
appropriation for that particular mailing. ~~Under no other~~ 533  
~~circumstance shall a public office, or a public official or~~ 534  
~~employee who is acting in an official capacity, mail unsolicited~~ 535  
~~applications for absent voter's ballots to any individuals.~~ 536

**Sec. 3501.11.** Each board of elections shall exercise by a 537  
majority vote all powers granted to the board by Title XXXV of 538  
the Revised Code, shall perform all the duties imposed by law, 539  
and shall do all of the following: 540

(A) Establish, define, provide, rearrange, and combine 541

election precincts;	542
(B) Fix and provide the places for registration and for holding primaries and elections;	543 544
(C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;	545 546 547 548
(D) Appoint and remove its director, deputy director, and employees and all registrars, precinct election officials, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;	549 550 551 552
(E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;	553 554 555 556
(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;	557 558
(G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code;	559 560 561 562
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	563 564
(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each board of a county that uses voting machines, marking devices, or automatic tabulating equipment shall conduct	565 566 567 568 569

a full vote of the board during a public session of the board on 570  
the allocation and distribution of voting machines, marking 571  
devices, and automatic tabulating equipment for each precinct in 572  
the county. 573

(J) Investigate irregularities, nonperformance of duties, 574  
or violations of Title XXXV of the Revised Code by election 575  
officers and other persons; administer oaths, issue subpoenas, 576  
summon witnesses, and compel the production of books, papers, 577  
records, and other evidence in connection with any such 578  
investigation; and report the facts to the prosecuting attorney 579  
or the secretary of state; 580

(K) (1) Review, examine, and certify the sufficiency and 581  
validity of petitions and nomination papers, and, after 582  
certification, return to the secretary of state all petitions 583  
and nomination papers that the secretary of state forwarded to 584  
the board; 585

(2) Examine each initiative petition, or a petition filed 586  
under section 307.94 or 307.95 of the Revised Code, received by 587  
the board to determine whether the petition falls within the 588  
scope of authority to enact via initiative and whether the 589  
petition satisfies the statutory prerequisites to place the 590  
issue on the ballot, as described in division (M) of section 591  
3501.38 of the Revised Code. The petition shall be invalid if 592  
any portion of the petition is not within the initiative power. 593

(L) Receive the returns of elections, canvass the returns, 594  
make abstracts of them, and transmit those abstracts to the 595  
proper authorities; 596

(M) Issue certificates of election on forms to be 597  
prescribed by the secretary of state; 598

(N) Make an annual report to the secretary of state, on	599
the form prescribed by the secretary of state, containing a	600
statement of the number of voters registered, elections held,	601
votes cast, appropriations received, expenditures made, and	602
other data required by the secretary of state;	603
(O) Prepare and submit to the proper appropriating officer	604
a budget estimating the cost of elections for the ensuing fiscal	605
year;	606
(P) Perform other duties as prescribed by law or the	607
rules, directives, or advisories of the secretary of state;	608
(Q) Investigate and determine the residence qualifications	609
of electors;	610
(R) Administer oaths in matters pertaining to the	611
administration of the election laws;	612
(S) Prepare and submit to the secretary of state, whenever	613
the secretary of state requires, a report containing the names	614
and residence addresses of all incumbent county, municipal,	615
township, and board of education officials serving in their	616
respective counties;	617
(T) Establish and maintain a voter registration database	618
of all qualified electors in the county who offer to register;	619
(U) Maintain voter registration records, make reports	620
concerning voter registration as required by the secretary of	621
state, and remove ineligible electors from voter registration	622
lists in accordance with law and directives of the secretary of	623
state;	624
(V) Give approval to ballot language for any local	625
question or issue and transmit the language to the secretary of	626

state for the secretary of state's final approval; 627

(W) Prepare and cause the following notice to be displayed 628  
in a prominent location in every polling place: 629

"NOTICE 630

Ohio law prohibits any person from voting or attempting to 631  
vote more than once at the same election. 632

Violators are guilty of a felony of the fourth degree and 633  
shall be imprisoned and additionally may be fined in accordance 634  
with law." 635

(X) In all cases of a tie vote or a disagreement in the 636  
board, if no decision can be arrived at, the director or 637  
chairperson shall submit the matter in controversy, not later 638  
than fourteen days after the tie vote or the disagreement, to 639  
the secretary of state, who shall summarily decide the question, 640  
and the secretary of state's decision shall be final. 641

(Y) Assist each designated agency, deputy registrar of 642  
motor vehicles, public high school and vocational school, public 643  
library, and office of a county treasurer in the implementation 644  
of a program for registering voters at all voter registration 645  
locations as prescribed by the secretary of state. Under this 646  
program, each board of elections shall direct to the appropriate 647  
board of elections any voter registration applications for 648  
persons residing outside the county where the board is located 649  
within five days after receiving the applications. 650

(Z) On any day on which an elector may vote in person at 651  
the office of the board or at another site designated by the 652  
board, consider the board or other designated site a polling 653  
place for that day. All requirements or prohibitions of law that 654  
apply to a polling place shall apply to the office of the board 655

or other designated site on that day. 656

(AA) Perform any duties with respect to voter registration 657  
and voting by uniformed services and overseas voters that are 658  
delegated to the board by law or by the rules, directives, or 659  
advisories of the secretary of state. 660

(BB) Prepare an election administration plan and submit it 661  
to the secretary of state not later than seventy-five days 662  
before each presidential primary election and not later than one 663  
hundred twenty days before each general election held in an 664  
even-numbered year. The election administration plan shall be on 665  
a template prescribed by the secretary of state and shall 666  
include all of the following: 667

(1) Precinct election official recruitment, training, and 668  
accountability; 669

(2) Resource allocation; 670

(3) Communication before and on the day of the election; 671

(4) Materials; 672

(5) Contingencies and continuity planning; 673

(6) Security; 674

(7) Voter registration; 675

(8) Absent voting; 676

(9) Polling places and accessibility; 677

(10) Ballot preparation; 678

(11) Pre-election testing; 679

(12) Reconciliation and audits; 680



(13) A master calendar; 681

(14) Any other topic prescribed by the secretary of state. 682

**Sec. 3501.22.** (A) (1) Except as otherwise provided in 683  
division (A) (2) of this section, on or before the fifteenth day 684  
of September in each year, the board of elections by a majority 685  
vote shall, after careful examination and investigation as to 686  
their qualifications, appoint for each election precinct four 687  
residents of the county in which the precinct is located, as 688  
precinct election officials. Except as otherwise provided in 689  
division (C) of this section, all precinct election officials 690  
shall be qualified electors. The precinct election officials 691  
shall constitute the election officers of the precinct. Not more 692  
than one-half of the total number of precinct election officials 693  
shall be members of the same political party. The term of such 694  
precinct officers shall be for one year. The board may, at any 695  
time, designate any number of election officers, not more than 696  
one-half of whom shall be members of the same political party, 697  
to perform their duties at any precinct in any election. The 698  
board may appoint additional officials, equally divided between 699  
the two major political parties, when necessary to expedite 700  
voting. If the board of elections determines that four precinct 701  
election officials are not required in a precinct for a special 702  
election, the board of elections may select two of the 703  
precinct's election officers, who are not members of the same 704  
political party, to serve as the precinct election officials for 705  
that precinct in that special election. 706

Vacancies for unexpired terms shall be filled by the 707  
board. When new precincts have been created, the board shall 708  
appoint precinct election officials for those precincts for the 709  
unexpired term. Any precinct election official may be summarily 710

removed from office at any time by the board for neglect of 711  
duty, malfeasance, or misconduct in office or for any other good 712  
and sufficient reason. 713

Precinct election officials shall perform all of the 714  
duties provided by law for receiving the ballots and supplies, 715  
opening and closing the polls, and overseeing the casting of 716  
ballots during the time the polls are open, and any other duties 717  
required by section 3501.26 of the Revised Code. 718

A board of elections may designate two precinct election 719  
officials as counting officials to count and tally the votes 720  
cast and certify the results of the election at each precinct, 721  
and perform other duties as provided by law. To expedite the 722  
counting of votes at each precinct, the board may appoint 723  
additional officials, not more than one-half of whom shall be 724  
members of the same political party. 725

Except as otherwise provided in division (A)(2) of this 726  
section, the board shall designate one of the precinct election 727  
officials who is a member of the dominant political party to 728  
serve as a voting location manager, whose duty it is to deliver 729  
the returns of the election and all supplies to the office of 730  
the board. For these services, the voting location manager shall 731  
receive additional compensation in an amount, consistent with 732  
section 3501.28 of the Revised Code, determined by the board of 733  
elections. 734

The board shall issue to each precinct election official a 735  
certificate of appointment, which the official shall present to 736  
the voting location manager at the time the polls are opened. 737

(2) If the board of elections, by a vote of at least three 738  
members of the board, opts to have a single voting location 739

serve more than one precinct, the board may do any of the 740  
following: 741

(a) Designate a single voting location manager for the 742  
voting location. The voting location manager shall be a member 743  
of the political party whose candidate received the highest 744  
number of votes for governor at the most recent general election 745  
for that office in the precincts whose polling places are 746  
located at the applicable voting location, when tallying the 747  
combined vote for governor in all such precincts. 748

(b) Combine the pollbooks for those precincts to create a 749  
single pollbook for the voting location; 750

(c) If electronic pollbooks are being used in the voting 751  
location, as described in section 3506.021 of the Revised Code, 752  
appoint not less than two precinct election officials for each 753  
precinct, so long as the board approves the decision to reduce 754  
the number of precinct election officials by the affirmative 755  
vote of at least three of its members. 756

(B) If the board of elections determines that not enough 757  
qualified electors in a precinct are available to serve as 758  
precinct officers, it may appoint persons to serve as precinct 759  
officers at a primary, special, or general election who are at 760  
least seventeen years of age and are registered to vote in 761  
accordance with section 3503.07 of the Revised Code. 762

(C) (1) A board of elections, in conjunction with the board 763  
of education of a city, local, or exempted village school 764  
district, the governing authority of a community school 765  
established under Chapter 3314. of the Revised Code, or the 766  
chief administrator of a nonpublic school may establish a 767  
program permitting certain high school students to apply and, if 768

appointed by the board of elections, to serve as precinct 769  
officers at a primary, special, or general election. 770

In addition to the requirements established by division 771  
(C) (2) of this section, a board of education, governing 772  
authority, or chief administrator that establishes a program 773  
under this division in conjunction with a board of elections may 774  
establish additional criteria that students shall meet to be 775  
eligible to participate in that program. 776

(2) (a) To be eligible to participate in a program 777  
established under division (C) (1) of this section, a student 778  
shall be a United States citizen, a resident of the county, and 779  
at least seventeen years of age, ~~and enrolled in the senior year~~ 780  
~~of high school.~~ 781

(b) Any student applying to participate in a program 782  
established under division (C) (1) of this section, as part of 783  
the student's application process, shall declare the student's 784  
political party affiliation with the board of elections. 785

(3) No student appointed as a precinct officer pursuant to 786  
a program established under division (C) (1) of this section 787  
shall be designated as a voting location manager. 788

(4) Any student participating in a program established 789  
under division (C) (1) of this section shall be excused for that 790  
student's absence from school on the day of an election at which 791  
the student is serving as a precinct officer. 792

(D) In any precinct with six or more precinct officers, up 793  
to two students participating in a program established under 794  
division (C) (1) of this section who are under eighteen years of 795  
age may serve as precinct officers. Not more than one precinct 796  
officer in any given precinct with fewer than six precinct 797

officers shall be under eighteen years of age. 798

**Sec. 3503.16.** (A) Except as otherwise provided in division 799  
(E) of section 111.44 of the Revised Code, whenever a registered 800  
elector changes the place of residence of that registered 801  
elector from one precinct to another within a county or from one 802  
county to another, or has a change of name, that registered 803  
elector shall report the change by delivering a change of 804  
residence or change of name form, whichever is appropriate, as 805  
prescribed by the secretary of state under section 3503.14 of 806  
the Revised Code to the state or local office of a designated 807  
agency, a public high school or vocational school, a public 808  
library, the office of the county treasurer, the office of the 809  
secretary of state, any office of the registrar or deputy 810  
registrar of motor vehicles, or any office of a board of 811  
elections in person or by a third person. Any voter 812  
registration, change of address, or change of name application, 813  
returned by mail, may be sent only to the secretary of state or 814  
the board of elections. 815

A registered elector also may update the registration of 816  
that registered elector by filing a change of residence or 817  
change of name form on the day of a special, primary, or general 818  
election at the polling place in the precinct in which that 819  
registered elector resides or at the board of elections or at 820  
another site designated by the board. 821

(B) (1) (a) Any registered elector who moves within a 822  
precinct on or prior to the day of a general, primary, or 823  
special election and has not filed a notice of change of 824  
residence with the board of elections may vote in that election 825  
by going to that registered elector's assigned polling place, 826  
completing and signing a notice of change of residence, showing 827

identification in the form of a current and valid photo 828  
identification, a military identification, or a copy of a 829  
current utility bill, bank statement, government check, 830  
paycheck, or other government document, other than a notice of 831  
voter registration mailed by a board of elections under section 832  
3503.19 of the Revised Code, that shows the name and current 833  
address of the elector, and casting a ballot. 834

(b) Any registered elector who changes the name of that 835  
registered elector and remains within a precinct on or prior to 836  
the day of a general, primary, or special election and has not 837  
filed a notice of change of name with the board of elections may 838  
vote in that election by going to that registered elector's 839  
assigned polling place, completing and signing a notice of a 840  
change of name, and casting a provisional ballot under section 841  
3505.181 of the Revised Code. If the registered elector provides 842  
to the precinct election officials proof of a legal name change, 843  
such as a marriage license or court order that includes the 844  
elector's current and prior names, the elector may complete and 845  
sign a notice of change of name and cast a regular ballot. 846

(2) Any registered elector who moves from one precinct to 847  
another within a county or moves from one precinct to another 848  
and changes the name of that registered elector on or prior to 849  
the day of a general, primary, or special election and has not 850  
filed a notice of change of residence or change of name, 851  
whichever is appropriate, with the board of elections may vote 852  
in that election if that registered elector complies with 853  
division (G) of this section or does all of the following: 854

(a) Appears at anytime during regular business hours on or 855  
after the twenty-eighth day prior to the election in which that 856  
registered elector wishes to vote or, if the election is held on 857

the day of a presidential primary election, the twenty-fifth day 858  
prior to the election, through noon of the Saturday prior to the 859  
election at the office of the board of elections, appears at any 860  
time during regular business hours on the Monday prior to the 861  
election at the office of the board of elections, or appears on 862  
the day of the election at either of the following locations: 863

(i) The polling place for the precinct in which that 864  
registered elector resides; 865

(ii) The office of the board of elections or, if pursuant 866  
to division (C) of section 3501.10 of the Revised Code the board 867  
has designated another location in the county at which 868  
registered electors may vote, at that other location instead of 869  
the office of the board of elections. 870

(b) Completes and signs, under penalty of election 871  
falsification, the written affirmation on the provisional ballot 872  
envelope, which shall serve as a notice of change of residence 873  
or change of name, whichever is appropriate; 874

(c) Votes a provisional ballot under section 3505.181 of 875  
the Revised Code at the polling place, at the office of the 876  
board of elections, or, if pursuant to division (C) of section 877  
3501.10 of the Revised Code the board has designated another 878  
location in the county at which registered electors may vote, at 879  
that other location instead of the office of the board of 880  
elections, whichever is appropriate, using the address to which 881  
that registered elector has moved or the name of that registered 882  
elector as changed, whichever is appropriate; 883

(d) Completes and signs, under penalty of election 884  
falsification, a statement attesting that that registered 885  
elector moved or had a change of name, whichever is appropriate, 886

on or prior to the day of the election, has voted a provisional 887  
ballot at the polling place for the precinct in which that 888  
registered elector resides, at the office of the board of 889  
elections, or, if pursuant to division (C) of section 3501.10 of 890  
the Revised Code the board has designated another location in 891  
the county at which registered electors may vote, at that other 892  
location instead of the office of the board of elections, 893  
whichever is appropriate, and will not vote or attempt to vote 894  
at any other location for that particular election. 895

(C) Any registered elector who moves from one county to 896  
another county within the state on or prior to the day of a 897  
general, primary, or special election and has not registered to 898  
vote in the county to which that registered elector moved may 899  
vote in that election if that registered elector complies with 900  
division (G) of this section or does all of the following: 901

(1) Appears at any time during regular business hours on 902  
or after the twenty-eighth day prior to the election in which 903  
that registered elector wishes to vote or, if the election is 904  
held on the day of a presidential primary election, the twenty- 905  
fifth day prior to the election, through noon of the Saturday 906  
prior to the election at the office of the board of elections 907  
or, if pursuant to division (C) of section 3501.10 of the 908  
Revised Code the board has designated another location in the 909  
county at which registered electors may vote, at that other 910  
location instead of the office of the board of elections, 911  
appears during regular business hours on the Monday prior to the 912  
election at the office of the board of elections or, if pursuant 913  
to division (C) of section 3501.10 of the Revised Code the board 914  
has designated another location in the county at which 915  
registered electors may vote, at that other location instead of 916  
the office of the board of elections, or appears on the day of 917



the election at the office of the board of elections or, if 918  
pursuant to division (C) of section 3501.10 of the Revised Code 919  
the board has designated another location in the county at which 920  
registered electors may vote, at that other location instead of 921  
the office of the board of elections; 922

(2) Completes and signs, under penalty of election 923  
falsification, the written affirmation on the provisional ballot 924  
envelope, which shall serve as a notice of change of residence; 925

(3) Votes a provisional ballot under section 3505.181 of 926  
the Revised Code at the office of the board of elections or, if 927  
pursuant to division (C) of section 3501.10 of the Revised Code 928  
the board has designated another location in the county at which 929  
registered electors may vote, at that other location instead of 930  
the office of the board of elections, using the address to which 931  
that registered elector has moved; 932

(4) Completes and signs, under penalty of election 933  
falsification, a statement attesting that that registered 934  
elector has moved from one county to another county within the 935  
state on or prior to the day of the election, has voted at the 936  
office of the board of elections or, if pursuant to division (C) 937  
of section 3501.10 of the Revised Code the board has designated 938  
another location in the county at which registered electors may 939  
vote, at that other location instead of the office of the board 940  
of elections, and will not vote or attempt to vote at any other 941  
location for that particular election. 942

(D) A person who votes by absent voter's ballots pursuant 943  
to division (G) of this section shall not make written 944  
application for the ballots pursuant to Chapter 3509. of the 945  
Revised Code. Ballots cast pursuant to division (G) of this 946  
section shall be set aside in a special envelope and counted 947

during the official canvass of votes in the manner provided for 948  
in sections 3505.32 and 3509.06 of the Revised Code insofar as 949  
that manner is applicable. The board shall examine the pollbooks 950  
to verify that no ballot was cast at the polls or by absent 951  
voter's ballots under Chapter 3509. or 3511. of the Revised Code 952  
by an elector who has voted by absent voter's ballots pursuant 953  
to division (G) of this section. Any ballot determined to be 954  
insufficient for any of the reasons stated above or stated in 955  
section 3509.07 of the Revised Code shall not be counted. 956

Subject to division (C) of section 3501.10 of the Revised 957  
Code, a board of elections may lease or otherwise acquire a site 958  
different from the office of the board at which registered 959  
electors may vote pursuant to division (B) or (C) of this 960  
section. 961

(E) Upon receiving a notice of change of residence or 962  
change of name, the board of elections shall immediately send 963  
the registrant an acknowledgment notice. If the change of 964  
residence or change of name notice is valid, the board shall 965  
update the voter's registration as appropriate. If that form is 966  
incomplete, the board shall inform the registrant in the 967  
acknowledgment notice specified in this division of the 968  
information necessary to complete or update that registrant's 969  
registration. 970

(F) Change of residence and change of name forms shall be 971  
available at each polling place, and when these forms are 972  
completed, noting changes of residence or name, as appropriate, 973  
they shall be filed with election officials at the polling 974  
place. Election officials shall return completed forms, together 975  
with the pollbooks and tally sheets, to the board of elections. 976

The board of elections shall provide change of residence 977

and change of name forms to the probate court and court of 978  
common pleas. The court shall provide the forms to any person 979  
eighteen years of age or older who has a change of name by order 980  
of the court or who applies for a marriage license. The court 981  
shall forward all completed forms to the board of elections 982  
within five days after receiving them. 983

(G) A registered elector who otherwise would qualify to 984  
vote under division (B) or (C) of this section but is unable to 985  
appear at the office of the board of elections or, if pursuant 986  
to division (C) of section 3501.10 of the Revised Code the board 987  
has designated another location in the county at which 988  
registered electors may vote, at that other location, on account 989  
of personal illness, physical disability, or infirmity, may vote 990  
on the day of the election if that registered elector does all 991  
of the following: 992

(1) Makes a written application on a form prescribed by 993  
the secretary of state that includes all of the information 994  
required under section 3509.03 of the Revised Code to the 995  
appropriate board for an absent voter's ballot on or after the 996  
twenty-seventh day prior to the election in which the registered 997  
elector wishes to vote through ~~noon of the Saturday close of~~ 998  
business on the seventh day prior to that election and requests 999  
that the absent voter's ballot be sent to the address to which 1000  
the registered elector has moved if the registered elector has 1001  
moved, or to the address of that registered elector who has not 1002  
moved but has had a change of name; 1003

(2) Declares that the registered elector has moved or had 1004  
a change of name, whichever is appropriate, and otherwise is 1005  
qualified to vote under the circumstances described in division 1006  
(B) or (C) of this section, whichever is appropriate, but that 1007

the registered elector is unable to appear at the board of 1008  
elections because of personal illness, physical disability, or 1009  
infirmity; 1010

(3) Completes and returns along with the completed absent 1011  
voter's ballot a notice of change of residence indicating the 1012  
address to which the registered elector has moved, or a notice 1013  
of change of name, whichever is appropriate; 1014

(4) Completes and signs, under penalty of election 1015  
falsification, a statement attesting that the registered elector 1016  
has moved or had a change of name on or prior to the day before 1017  
the election, has voted by absent voter's ballot because of 1018  
personal illness, physical disability, or infirmity that 1019  
prevented the registered elector from appearing at the board of 1020  
elections, and will not vote or attempt to vote at any other 1021  
location or by absent voter's ballot mailed to any other 1022  
location or address for that particular election. 1023

**Sec. 3505.13.** (A) A contract for the printing of ballots 1024  
involving a cost in excess of twenty-five thousand dollars shall 1025  
not be ~~let awarded~~ until after ~~five days'~~ a proposal period of 1026  
fifteen days. During the proposal period, a notice shall be 1027  
published once in a newspaper of general circulation published 1028  
in the county-, may be posted electronically by email or other 1029  
electronic means by the board of elections, or upon notice and 1030  
may be given by mail by the board of elections, addressed to the 1031  
responsible printing offices ~~within the state.~~ 1032

~~Except~~ (B) Except as otherwise provided in this section, 1033  
each ~~bid proposal for such printing a contract described in~~ 1034  
division (A) of this section must be accompanied by a bid bond 1035  
~~with at least two sureties, or a surety company, satisfactory to~~ 1036  
~~the board,~~ in a sum double of ten per cent of the amount of the 1037

~~bid, conditioned upon the faithful performance of the contract~~ 1038  
~~for such printing as is awarded and for the payment as damages~~ 1039  
~~by such bidder to the board of any excess of cost over the bid~~ 1040  
~~which it may be obliged to pay for such work by reason of the~~ 1041  
~~failure of the bidder to complete the contract~~proposal. No bid 1042  
proposal unaccompanied by such bid bond shall be considered by 1043  
the board. ~~The board may, however, waive the requirement that~~ 1044  
~~each bid be accompanied by a bond if the cost of the contract is~~ 1045  
~~twenty-five thousand dollars or less.~~ 1046

~~The~~ (C) The contract shall be let awarded to the lowest 1047  
most qualified responsible bidder in the state. ~~All ballots~~ 1048  
~~shall be printed within the state~~proposer that meets the minimum 1049  
standards established by the secretary of state under division 1050  
(D) of this section. The proposer shall post a performance bond 1051  
equal to one hundred per cent of a single election's contract 1052  
amount. If the contract is for multiple elections, then the 1053  
board instead may require the proposer to post a performance 1054  
bond of a sum equal to one hundred per cent of the board's 1055  
estimated ballot printing costs for the largest election to be 1056  
conducted during the contract period. 1057

(D) The secretary of state shall adopt rules establishing 1058  
printing, mailing, and security standards for vendors that print 1059  
ballots under contracts entered into under this section, in 1060  
accordance with Chapter 119. of the Revised Code. 1061

**Sec. 3505.14.** After the ~~letting~~awarding of the contract 1062  
for the printing of the ballots as provided in section 3505.13 1063  
of the Revised Code, the board of elections shall secure from 1064  
the printer printed proofs of the ballot, and shall notify the 1065  
~~chairman~~chairperson of the local executive committee of each 1066  
party or group represented on the ballot by candidates or 1067

issues, and post such proofs in a public place in the office of 1068  
the board for a period of at least twenty-four hours for 1069  
inspection and correction of any errors appearing thereon. The 1070  
board shall cause such proofs to be read with care and after 1071  
correcting any errors shall return the corrected copy to the 1072  
printer. 1073

Sec. 3505.19. (A) A political subdivision or taxing 1074  
authority shall only hold a special election on the first 1075  
Tuesday after the first Monday in August for an office, 1076  
question, or issue if either of the following are met: 1077

(1) The political subdivision is under a fiscal emergency 1078  
under section 118.03 of the Revised Code or the taxing authority 1079  
that is a school district is under a fiscal emergency under 1080  
division (B) of section 3316.03 of the Revised Code at the time 1081  
the board of elections certifies the office, question, or issue 1082  
for placement on the ballot for that special election. 1083

(2) The political subdivision or taxing authority is 1084  
permitted to hold a special election in accordance with section 1085  
3521.031 of the Revised Code. 1086

(B) The deadlines applicable to a special election held by 1087  
a political subdivision or taxing authority under division (A) 1088  
of this section shall be the same as the deadlines specified to 1089  
place the office, question, or issue on the ballot on the day of 1090  
a primary or general election. 1091

(C) The entire cost of a special election held under 1092  
division (A)(1) of this section shall be charged to the 1093  
political subdivision or taxing authority in accordance with 1094  
division (D) of section 3501.17 of the Revised Code. 1095

**Sec. 3506.14. (A) Prior to each election, the board of 1096**

elections shall ~~test~~ do both of the following as instructed by 1097  
the secretary of state; 1098

(1) Test and audit the variable codes applicable to that 1099  
election to verify the accuracy of any computer program that 1100  
will be used for tallying the ballot cards for each precinct in 1101  
which an election will be held. 1102

~~(B) Prior to the start of the count of the ballots, the~~ 1103  
~~board of elections shall have the voting machine or automatic~~ 1104  
~~tabulating equipment tested;~~ 1105

(2) Conduct systematic logic and accuracy testing of every 1106  
component of every voting machine, marking device, or piece of 1107  
automatic tabulating equipment with every ballot style to be 1108  
used in the election to ascertain that ~~it~~ the ballots are 1109  
accurate and that the machines, devices, and equipment will 1110  
accurately record, mark, or count the votes cast for all offices 1111  
and on all questions and issues, as applicable. ~~Public notice of~~ 1112  
~~the time and place of the test shall be given by proclamation or~~ 1113  
~~posting as in the case of notice of elections.~~ The test shall be 1114  
conducted by processing a pre-audited group of ballots so marked 1115  
as to record a predetermined number of valid votes for each 1116  
candidate and on each question and issue, and shall include for 1117  
each office one or more ballots that have votes in excess of the 1118  
number allowed by law in order to test the ability of the 1119  
automatic tabulating equipment to reject those votes. In that 1120  
test a different number of valid votes shall be assigned to each 1121  
candidate for an office, and for and against each question and 1122  
issue. If an error is detected, the cause for the error shall be 1123  
ascertained and corrected and an errorless count shall be made 1124  
and certified to by the board before the count is started. ~~The~~ 1125

(B) All automatic tabulating equipment to be used in an 1126

election shall pass the same ~~test~~ testing described in division 1127  
(A) (2) of this section at the beginning and conclusion of the 1128  
election day count before the election returns are approved as 1129  
official. ~~On~~ 1130

(C) The board shall give public notice of the time and 1131  
place of all testing to be conducted under this section by 1132  
proclamation or posting as in the case of notice of elections. 1133  
All testing under this section shall be conducted by bipartisan 1134  
teams of election officials. 1135

(D) No voting machine, marking device, or piece of 1136  
automatic tabulating equipment shall be used in an election in 1137  
this state without undergoing successful testing under this 1138  
section. 1139

(E) On completion of the election day count, the programs, 1140  
test materials, and ballots shall be sealed and retained as 1141  
provided for paper ballots in section 3505.31 of the Revised 1142  
Code. 1143

**Sec. 3506.24. (A) As used in this section:** 1144

(1) "Elected official" means an elected officer of the 1145  
state, any political subdivision, or the United States, other 1146  
than a member of a central committee of a political party. 1147

(2) "Voter registration system" means software and any 1148  
related equipment used by a board of elections or the secretary 1149  
of state to process, store, organize, maintain, or retrieve 1150  
voter registration records. 1151

(B) (1) No voter registration system, voting machine, 1152  
marking device, or automatic tabulating equipment shall be used 1153  
for the purpose of conducting elections in this state if an 1154  
elected official or the spouse of an elected official is a 1155



partner, owner, or member of the person or entity that 1156  
manufactured, assembled, or otherwise made the system, machine, 1157  
device, or equipment or of the person or entity from which the 1158  
system, machine, device, or equipment is acquired. 1159

(2) For purposes of division (B)(1) of this section, an 1160  
elected official or the spouse of an elected official is not 1161  
considered an owner of a publicly traded person or entity if the 1162  
elected official's and the spouse's combined ownership interest 1163  
in the person or entity is less than ten per cent. 1164

**Sec. 3509.01.** (A) The board of elections of each county 1165  
shall provide absent voter's ballots for use at every primary 1166  
and general election, or special election to be held on the day 1167  
specified by division (E) of section 3501.01 of the Revised Code 1168  
for the holding of a primary election, designated by the general 1169  
assembly for the purpose of submitting constitutional amendments 1170  
proposed by the general assembly to the voters of the state. 1171  
Those ballots shall be the same size, shall be printed on the 1172  
same kind of paper, and shall be in the same form as has been 1173  
approved for use at the election for which those ballots are to 1174  
be voted; except that, in counties using marking devices, ballot 1175  
cards may be used for absent voter's ballots, and those absent 1176  
voters shall be instructed to record the vote in the manner 1177  
provided on the ballot cards. 1178

(B) The rotation of names of candidates and questions and 1179  
issues shall be substantially complied with on absent voter's 1180  
ballots, within the limitation of time allotted. Those ballots 1181  
shall be designated as "Absent Voter's Ballots." Except as 1182  
otherwise provided in division (D) of this section, those 1183  
ballots shall be printed and ready for use as follows: 1184

(1) For overseas voters and absent uniformed services 1185

voters eligible to vote under the Uniformed and Overseas 1186  
Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 1187  
42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed 1188  
and ready for use other than in person on the forty-sixth day 1189  
before the day of the election. 1190

(2) For all other voters, ~~other than overseas voters and~~ 1191  
~~absent uniformed services voters, who are applying to vote~~ 1192  
~~absent voter's ballots other than in person,~~ ballots shall be 1193  
printed and ready for use on the first day after the close of 1194  
voter registration before the election. 1195

~~(3) For all voters who are applying to vote absent voter's~~ 1196  
~~ballots in person, ballots shall be printed and ready for use~~ 1197  
~~beginning on the first day after the close of voter registration~~ 1198  
~~before the election.~~ 1199

~~If, at the time for the close of in person absent voting~~ 1200  
~~on a particular day, there are voters waiting in line to cast~~ 1201  
~~their ballots, the in person absent voting location shall be~~ 1202  
~~kept open until such waiting voters have cast their absent~~ 1203  
~~voter's ballots.~~ 1204

(C) Absent voter's ballots provided for use at a general 1205  
or primary election, or special election to be held on the day 1206  
specified by division (E) of section 3501.01 of the Revised Code 1207  
for the holding of a primary election, designated by the general 1208  
assembly for the purpose of submitting constitutional amendments 1209  
proposed by the general assembly to the voters of the state, 1210  
shall include only those questions, issues, and candidacies that 1211  
have been lawfully ordered submitted to the electors voting at 1212  
that election. 1213

(D) If the laws governing the holding of a special 1214

election on a day other than the day on which a primary or 1215  
general election is held make it impossible for absent voter's 1216  
ballots to be printed and ready for use by the deadlines 1217  
established in division (B) of this section, absent voter's 1218  
ballots for those special elections shall be ready for use as 1219  
many days before the day of the election as reasonably possible 1220  
under the laws governing the holding of that special election. 1221

(E) A copy of the absent voter's ballots shall be 1222  
forwarded by the director of the board in each county to the 1223  
secretary of state at least twenty-five days before the 1224  
election. 1225

**Sec. 3509.03.** (A) Except as otherwise provided in ~~division~~ 1226  
~~(B) of section 3509.08~~ sections 3509.031, 3509.051, 3511.02, and 1227  
3511.021 of the Revised Code, any qualified elector desiring to 1228  
vote absent voter's ballots at an election shall ~~make~~ deliver a 1229  
written application for those ballots, either in person or by 1230  
mail, to the ~~director~~ board of elections of the county in which 1231  
the elector's voting residence is located. 1232

(B) Except as otherwise ~~provided in~~ permitted under 1233  
section 3511.02 of the Revised Code and under division (C) of 1234  
this section, the application ~~need not~~ shall be ~~in any~~ 1235  
~~particular~~ on a form ~~but~~ prescribed by the secretary of state 1236  
and shall contain all of the following: 1237

- (1) The elector's name; 1238
- (2) The elector's signature; 1239
- (3) The address at which the elector is registered to 1240  
vote; 1241
- (4) The elector's date of birth; 1242

(5) One of the following:	1243
(a) The elector's driver's license number;	1244
(b) The last four digits of the elector's social security number;	1245 1246
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	1247 1248 1249 1250 1251 1252 1253
(6) A statement identifying the election for which absent voter's ballots are requested;	1254 1255
(7) A statement that the person requesting the ballots is a qualified elector;	1256 1257
(8) If the request is for primary election ballots, the elector's party affiliation;	1258 1259
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	1260 1261
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	1262 1263 1264 1265 1266
(D) <del>Each</del> <u>Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application for to receive</u> absent voter's ballots shall be delivered to the <del>director</del> <u>office of the board</u>	1267 1268 1269 1270

or submitted through the online system described in section 1271  
3509.031 of the Revised Code, as applicable, not earlier than 1272  
the first day of January of the year of the elections for which 1273  
the absent voter's ballots are requested or not earlier than 1274  
ninety days before the day of the election at which the ballots 1275  
are to be voted, whichever is earlier, and not later than ~~twelve-~~ 1276  
~~noon of the third close of business on the seventh day before~~ 1277  
the day of the election at which the ballots are to be voted, ~~or~~ 1278  
~~not later than six p.m. on the last Friday before the day of the~~ 1279  
~~election at which the ballots are to be voted if the application-~~ 1280  
~~is delivered in person to the office of the board.~~ 1281

(E) ~~A board of elections that mails an absent voter's~~ 1282  
~~ballot application to an elector under this section~~ No public 1283  
office, and no public official or employee who is acting in an 1284  
official capacity, shall not prepay do either of the following: 1285

(1) Prepay the return postage for that an application for 1286  
absent voter's ballots; 1287

(2) Mail or otherwise deliver an unsolicited application 1288  
for absent voter's ballots to any person, except as provided in 1289  
section 3501.05 of the Revised Code. 1290

(F) Except as otherwise provided in this section and in 1291  
sections 3505.24 and 3509.08 of the Revised Code, an election 1292  
official shall not fill out any portion of an application for 1293  
absent voter's ballots on behalf of an applicant. The secretary 1294  
of state or a board of elections may preprint only an 1295  
applicant's name and address on an application for absent 1296  
voter's ballots before mailing that application to the 1297  
applicant, except that if the applicant has a confidential voter 1298  
registration record, the secretary of state or a board of 1299  
elections shall not preprint the applicant's address on the 1300

application. 1301

Sec. 3509.031. (A) (1) The secretary of state shall 1302  
establish a secure online system for electors to apply for 1303  
absent voter's ballots. The online system shall be available in 1304  
addition to the procedures prescribed under section 3511.021 of 1305  
the Revised Code to allow a uniformed services or overseas 1306  
absent voter or a relative of such an absent voter to apply for 1307  
ballots by electronic means. 1308

(2) The online system shall permit an elector to submit 1309  
the application not earlier than the first day of January of the 1310  
year of the election or not earlier than ninety days before the 1311  
day of the election, whichever is earlier, and not later than 1312  
the close of business on the seventh day before the day of the 1313  
election. 1314

(B) (1) The online application for absent voter's ballots 1315  
shall require an elector to provide all of the following: 1316

(a) The elector's name; 1317

(b) (i) Except as otherwise provided under division (B) (1) 1318  
(b) (ii) of this section, the address at which the elector is 1319  
registered to vote. 1320

(ii) If the elector has a confidential voter registration 1321  
record, as described in section 111.44 of the Revised Code, the 1322  
elector may provide the elector's program participant 1323  
identification number instead of the address at which the 1324  
elector is registered to vote. 1325

(c) The elector's date of birth; 1326

(d) The elector's Ohio driver's license or state 1327  
identification card number; 1328

(e) The last four digits of the elector's social security number; 1329  
1330

(f) An indication of the election for which the absent voter's ballots are requested; 1331  
1332

(g) If the request is for primary election ballots, the elector's party affiliation; 1333  
1334

(h) The address to which the ballots shall be mailed, if different from the address at which the applicant is registered to vote. 1335  
1336  
1337

(2) The application shall require the applicant to check a box affirming under penalty of election falsification that the applicant is a qualified elector. 1338  
1339  
1340

(C) The secretary of state shall transmit each completed application submitted through the online system to the board of elections of the county in which the elector resides. 1341  
1342  
1343

(D) The secretary of state shall employ security measures necessary to ensure the integrity and accuracy of information submitted electronically pursuant to this section. Errors in processing applications for absent voter's ballots in the online system shall not prevent an elector from receiving absent voter's ballots. 1344  
1345  
1346  
1347  
1348  
1349

**Sec. 3509.04.** (A) If a ~~director of a~~ board of elections receives an application for absent voter's ballots that does not contain all of the required information or is not submitted on an appropriate form, the ~~director board~~ promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application, direct the applicant to use an appropriate form, or both, as applicable. 1350  
1351  
1352  
1353  
1354  
1355  
1356  
1357

(B) Upon receipt by the ~~director~~board of elections of an 1358  
application for absent voter's ballots that contains all of the 1359  
required information and is submitted on an appropriate form, as 1360  
provided by ~~section~~sections 3509.03 and 3509.031 and division 1361  
(G) of section 3503.16 of the Revised Code, the ~~director~~board, 1362  
if the ~~director~~board finds that the applicant is a qualified 1363  
elector, shall deliver to the applicant in person or mail 1364  
directly to the applicant by special delivery mail, air mail, or 1365  
regular mail, postage prepaid, proper absent voter's ballots. 1366  
The ~~director~~board shall deliver or mail with the ballots an 1367  
unsealed identification envelope upon the face of which shall be 1368  
printed a form substantially as follows: 1369

"Identification Envelope Statement of Voter 1370

I, \_\_\_\_\_ (Name of voter), declare under 1371  
penalty of election falsification that the within ballot or 1372  
ballots contained no voting marks of any kind when I received 1373  
them, and I caused the ballot or ballots to be marked, enclosed 1374  
in the identification envelope, and sealed in that envelope. 1375

My voting residence in Ohio is 1376

\_\_\_\_\_ 1377

(Street and Number, if any, or Rural Route and Number) 1378

of \_\_\_\_\_ (City, Village, or Township) 1379

Ohio, which is in Ward \_\_\_\_\_ 1380

Precinct \_\_\_\_\_ in that city, village, or township. 1381

If I have a confidential voter registration record, I am 1382  
providing my program participant identification number instead 1383  
of my residence address: \_\_\_\_\_ 1384

The primary election ballots, if any, within this envelope 1385



are primary election ballots of the \_\_\_\_\_ Party. 1386

Ballots contained within this envelope are to be voted at 1387

the \_\_\_\_\_ (general, special, or primary) election to be 1388

held on the \_\_\_\_\_ day of 1389

\_\_\_\_\_, 1390

My date of birth is \_\_\_\_\_ (Month and Day), 1391

\_\_\_\_\_ (Year). 1392

~~(Voter-You must provide one of the following:)~~ 1393

~~My-Your driver's license number-is: \_\_\_\_\_~~ 1394

~~(Driver's license number).~~ 1395

~~The-If you do not have or cannot provide a driver's~~ 1396

~~license number, the last four digits of my-your Social Security~~ 1397

~~Number-are: \_\_\_\_\_ (Last four digits of Social Security~~ 1398

~~Number).~~ 1399

~~\_\_\_\_\_ In lieu of providing a driver's license number or~~ 1400

~~the last four digits of my Social Security Number, I am~~ 1401

~~enclosing a-If you do not have or cannot provide a driver's~~ 1402

~~license number or the last four digits of your Social Security~~ 1403

~~number, a copy of one of the following in the return envelope in~~ 1404

~~which this identification envelope will be mailed: a current and~~ 1405

valid photo identification, a military identification, or a 1406

current utility bill, bank statement, government check, 1407

paycheck, or other government document, other than a notice of 1408

voter registration mailed by a board of elections, that shows ~~my-~~ 1409

~~your name~~ and address. If you provide a copy of one of those 1410

documents, enclose it in the return envelope along with the 1411

identification envelope. 1412

I hereby declare, under penalty of election falsification, 1413

that the statements above are true, as I verily believe. 1414

\_\_\_\_\_ (Signature of Voter) 1415

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1416  
THE FIFTH DEGREE." 1417

The ~~director board~~ shall mail with the ballots and the 1418  
unsealed identification envelope an unsealed return envelope 1419  
upon the face of which shall be printed the ~~official title and~~ 1420  
post-office address of the ~~director board~~. In the upper left 1421  
corner on the face of the return envelope, several blank lines 1422  
shall be printed upon which the voter may write the voter's name 1423  
and return address. The return envelope shall be of such size 1424  
that the identification envelope can be conveniently placed 1425  
within it for returning the identification envelope to the 1426  
~~director board~~. 1427

~~A board of elections that mails or otherwise delivers~~ 1428  
~~absent voter's ballots to an elector under this section No~~ 1429  
public office, and no public official or employee who is acting 1430  
in an official capacity, shall not prepay the return postage for 1431  
~~those any absent voter's ballots.~~ 1432

Except as otherwise provided in this section and in 1433  
sections 3505.24 and 3509.08 of the Revised Code, an election 1434  
official shall not fill out any portion of an identification 1435  
envelope statement of voter or an absent voter's ballot on 1436  
behalf of an elector. A board of elections may preprint only an 1437  
elector's name and address on an identification envelope 1438  
statement of voter before mailing absent voter's ballots to the 1439  
elector, except that if the elector has a confidential voter 1440  
registration record, as described in section 111.44 of the 1441  
Revised Code, the board of elections shall not preprint the 1442  
elector's address on the identification envelope statement of 1443  
voter. 1444

**Sec. 3509.05.** (A) When an elector receives an absent 1445  
voter's ballot pursuant to the elector's application or request, 1446  
the elector shall, before placing any marks on the ballot, note 1447  
whether there are any voting marks on it. If there are any 1448  
voting marks, the ballot shall be returned immediately to the 1449  
board of elections; otherwise, the elector shall cause the 1450  
ballot to be marked, folded in a manner that the stub on it and 1451  
the indorsements and facsimile signatures of the members of the 1452  
board of elections on the back of it are visible, and placed and 1453  
sealed within the identification envelope received from the 1454  
~~director~~ board of elections for that purpose. Then, the elector 1455  
shall cause the statement of voter on the outside of the 1456  
identification envelope to be completed and signed, under 1457  
penalty of election falsification. 1458

(B) If the elector does not provide the elector's driver's 1459  
license number or the last four digits of the elector's social 1460  
security number on the statement of voter on the identification 1461  
envelope, the elector also shall include in the return envelope 1462  
with the identification envelope a copy of the elector's current 1463  
valid photo identification, a copy of a military identification, 1464  
or a copy of a current utility bill, bank statement, government 1465  
check, paycheck, or other government document, other than a 1466  
notice of voter registration mailed by a board of elections 1467  
under section 3503.19 of the Revised Code, that shows the name 1468  
and address of the elector. 1469

(C) (1) The elector shall mail the identification envelope 1470  
to the ~~director from whom it was received~~ office of the board of 1471  
elections in the return envelope, postage prepaid, or the 1472  
elector may personally deliver it to the ~~director~~ office of the 1473  
board, or the spouse of the elector, the father, mother, father- 1474  
in-law, mother-in-law, grandfather, grandmother, brother, or 1475

sister of the whole or half blood, or the son, daughter, 1476  
adopting parent, adopted child, stepparent, stepchild, uncle, 1477  
aunt, nephew, or niece of the elector may deliver it to the 1478  
~~director office of the board.~~ The return envelope shall be 1479  
~~transmitted to the director returned by no other person,~~ in no 1480  
other manner, and to no other location, except as otherwise 1481  
provided in section 3509.08 of the Revised Code. 1482

~~When absent voter's ballots are delivered to an elector at~~ 1483  
~~the office of the board, the elector may retire to a voting~~ 1484  
~~compartment provided by the board and there mark the ballots.~~ 1485  
~~Thereupon, the elector shall fold them, place them in the~~ 1486  
~~identification envelope provided, seal the envelope, fill in and~~ 1487  
~~sign the statement on the envelope under penalty of election~~ 1488  
~~falsification, and deliver the envelope to the director of the~~ 1489  
~~board.~~ 1490

(2) If the board maintains multiple offices in the county, 1491  
as permitted under division (C) of section 3501.10 of the 1492  
Revised Code, the board may designate any of its offices for the 1493  
return of absent voter's ballots under this section, provided 1494  
that the board shall designate only one office to which absent 1495  
voter's ballots shall be returned under this section. 1496

(3) (a) The board of elections may place not more than one 1497  
secure receptacle outside the office of the board, on the 1498  
property on which the office of the board is located, for the 1499  
purpose of receiving absent voter's ballots under this section. 1500

(b) A secure receptacle shall be open to receive ballots 1501  
only during the period beginning on the first day after the 1502  
close of voter registration before the election and ending at 1503  
seven-thirty p.m. on the day of the election. The receptacle 1504  
shall be open to receive ballots at all times during that 1505

period. 1506

(c) A secure receptacle shall be monitored by recorded 1507  
video surveillance at all times. The video recordings are a 1508  
public record, and the board shall make them available for 1509  
inspection immediately upon request. 1510

(d) Only a bipartisan team of election officials may open 1511  
a secure receptacle or handle its contents. A bipartisan team of 1512  
election officials shall collect the contents of each secure 1513  
receptacle and deliver them to the board for processing at least 1514  
once each day and at seven-thirty p.m. on the day of the 1515  
election. If, at seven-thirty p.m. on the day of the election, 1516  
there are persons waiting in line to deposit absent voter's 1517  
ballots in a receptacle, those persons shall be permitted to 1518  
deposit the ballots. 1519

(D) (1) Except as otherwise provided in division ~~(B)~~ (D) (2) 1520  
of this section, all ~~other~~ envelopes containing marked absent 1521  
voter's ballots shall be delivered to the ~~director~~ office of the 1522  
board not later than the close of the polls on the day of an 1523  
election. Absent voter's ballots delivered to the ~~director~~ 1524  
office of the board later than the times specified shall not be 1525  
counted, but shall be kept by the board in the sealed 1526  
identification envelopes in which they are delivered ~~to the~~ 1527  
~~director~~, until the time provided by section 3505.31 of the 1528  
Revised Code for the destruction of all other ballots used at 1529  
the election for which ballots were provided, at which time they 1530  
shall be destroyed. 1531

~~(B) (1)~~ (2) (a) Except as otherwise provided in division ~~(B)~~ 1532  
~~(2)~~ (D) (2) (b) of this section, any return envelope that is 1533  
postmarked prior to the day of the election shall be delivered 1534  
to the ~~director~~ office of the board prior to the ~~eleventh~~ eighth 1535

day after the election. Ballots delivered in envelopes 1536  
postmarked prior to the day of the election that are received 1537  
after the close of the polls on election day through the ~~tenth~~ 1538  
seventh day thereafter shall be counted on the ~~eleventh~~eight 1539  
day at the board of elections in the manner provided in 1540  
divisions (C) and (D) of section 3509.06 of the Revised Code or 1541  
in the manner provided in division (E) of that section, as 1542  
applicable. Any such ballots that are received ~~by~~at the 1543  
~~director office of the board~~ later than the ~~tenth~~seventh day 1544  
following the election shall not be counted, but shall be kept 1545  
by the board in the sealed identification envelopes as provided 1546  
in division (A) of this section. 1547

~~(2)~~(b) Division ~~(B)(1)~~(D)(2)(a) of this section shall 1548  
not apply to any mail that is postmarked using a postage 1549  
evidencing system, including a postage meter, as defined in 39 1550  
C.F.R. 501.1. 1551

**Sec. 3509.051.** An elector may appear at the office of the 1552  
board of elections to cast absent voter's ballots in person 1553  
instead of applying for those ballots under section 3509.03 or 1554  
3509.031 of the Revised Code. Notwithstanding section 3509.05 or 1555  
any other provision of the Revised Code to the contrary, all of 1556  
the following shall apply to the casting of absent voter's 1557  
ballots in person: 1558

~~(A)~~ The (A)(1) Except as otherwise provided in division 1559  
(A) of this section, in-person absent voting shall be permitted 1560  
only during the period beginning on the first day after the 1561  
close of voter registration before the election and ending at 1562  
five p.m. on the Sunday before the day of the election, as 1563  
follows: 1564

(a) For a presidential general election, in-person absent 1565

voting shall be available only in accordance with the following 1566  
schedule: 1567

(i) During the period beginning on the day after the close 1568  
of voter registration before the election and ending at the end 1569  
of the third calendar week before the week of the election, 1570  
Monday through Friday between eight a.m. and five p.m.; 1571

(ii) During the second calendar week before the calendar 1572  
week of the election, Monday through Friday, between eight a.m. 1573  
and six p.m.; Saturday, between eight a.m. and four p.m.; and 1574  
Sunday, between one p.m. and five p.m.; 1575

(iii) During the calendar week before the calendar week of 1576  
the election, Monday, between seven a.m. and eight p.m.; Tuesday 1577  
through Friday, between seven-thirty a.m. and seven-thirty p.m.; 1578  
Saturday, between eight a.m. and four p.m.; and Sunday, between 1579  
one p.m. and five p.m. 1580

(b) For a presidential primary election or a gubernatorial 1581  
general election, in-person absent voting shall be available 1582  
only in accordance with the following schedule: 1583

(i) During the period beginning on the day after the close 1584  
of voter registration before the election and ending at the end 1585  
of the third calendar week before the week of the election, 1586  
Monday through Friday, between eight a.m. and five p.m.; 1587

(ii) During the second calendar week before the calendar 1588  
week of the election, Monday through Friday, between eight a.m. 1589  
and five p.m., and Saturday, between eight a.m. and four p.m.; 1590

(iii) During the calendar week before the calendar week of 1591  
the election, Monday, between seven a.m. and eight p.m.; Tuesday 1592  
through Friday, between seven-thirty a.m. and seven-thirty p.m.; 1593  
Saturday, between eight a.m. and four p.m.; and Sunday, between 1594

one p.m. and five p.m. 1595

(c) For all other elections, in-person absent voting shall 1596  
be available only in accordance with the following schedule: 1597

(i) During the period beginning on the day after the close 1598  
of voter registration before the election and ending at the end 1599  
of the second calendar week before the week of the election, 1600  
Monday through Friday, between eight a.m. and five p.m.; 1601

(ii) During the calendar week before the calendar week of 1602  
the election, Monday, between seven a.m. and eight p.m.; Tuesday 1603  
through Friday, between seven-thirty a.m. and seven-thirty p.m.; 1604  
Saturday, between eight a.m. and four p.m.; and Sunday, between 1605  
one p.m. and five p.m. 1606

(2) For purposes of this section, a calendar week begins 1607  
on Monday and ends on Sunday. 1608

(3) In-person absent voting shall not be permitted on a 1609  
legal holiday, as defined in section 1.14 of the Revised Code. 1610

(4) If, at the time for the close of in-person absent 1611  
voting on a particular day, there are voters waiting in line to 1612  
cast their ballots, the in-person absent voting location shall 1613  
be kept open until such waiting voters have cast their absent 1614  
voter's ballots. 1615

(B) An in-person absent voter shall provide identification 1616  
to the election officials in the same manner as accordance with 1617  
one of the following: 1618

(1) As a voter who casts a ballot in person on the day of 1619  
an election is required to provide The voter shall provide a 1620  
current and valid photo identification, a military 1621  
identification, or a copy of a current utility bill, bank 1622



statement, government check, paycheck, or other government 1623  
document, other than a notice of voter registration mailed by a 1624  
board of elections under section ~~3505.18~~3503.19 of the Revised 1625  
Code; ~~or~~ that shows the name and current address of the voter. 1626

~~(2) As a voter who casts an absent voter's ballot is~~ 1627  
~~required to submit a completed written application for an absent~~ 1628  
~~voter's ballot under section 3509.03 of the Revised Code. The~~ 1629  
voter shall provide the voter's driver's license number or the 1630  
last four digits of the voter's social security number. The 1631  
election officials shall verify that the number or digits the 1632  
voter provides are not different from the number or digits in 1633  
the voter's registration record. 1634

~~(B)~~(C) The absent voter shall not be required to complete 1635  
a written application for absent voter's ballots or a statement 1636  
of voter on an absent voter's ballot identification envelope. 1637

~~(C)~~(D) The board of elections shall provide a signature 1638  
book to be signed by absent voters who are casting their ballots 1639  
in person. 1640

~~(D)~~(E) No person other than an election official shall be 1641  
permitted to challenge the right to vote of an absent voter who 1642  
is casting a ballot in person. An election official may 1643  
challenge the right to vote of an absent voter who is casting a 1644  
ballot in person in the same manner as a precinct election 1645  
official may challenge the right to vote of an elector on the 1646  
day of an election under section 3505.20 or 3513.19 of the 1647  
Revised Code. 1648

~~(E)~~(F) No absent voter may receive a replacement ballot 1649  
after the voter's absent voter's ballot has been scanned or 1650  
entered into automatic tabulating equipment. 1651

**Sec. 3509.06.** (A) The board of elections shall determine 1652  
whether absent voter's ballots shall be processed and counted in 1653  
each precinct, at the office of the board, or at some other 1654  
location designated by the board, and shall proceed accordingly 1655  
under division (B), (C), or (E) of this section, as applicable. 1656

(B) (1) Except as otherwise provided in division (B) (2) of 1657  
this section, when the board of elections determines that absent 1658  
voter's ballots shall be processed and counted in each precinct, 1659  
the ~~director-board~~ shall deliver to the voting location manager 1660  
of each precinct on election day identification envelopes 1661  
purporting to contain absent voter's ballots of electors whose 1662  
voting residence appears from the statement of voter on the 1663  
outside of each of those envelopes, to be located in that 1664  
manager's precinct, and which were received by the ~~director-~~ 1665  
~~board~~ not later than the close of the polls on election day. The 1666  
~~director-board~~ shall deliver to the voting location manager a 1667  
list containing the name and voting residence of each person 1668  
whose voting residence is in such precinct to whom absent 1669  
voter's ballots were mailed. 1670

(2) The ~~director-board~~ shall not deliver to the voting 1671  
location manager identification envelopes cast by electors who 1672  
provided a program participant identification number instead of 1673  
a residence address on the identification envelope and shall not 1674  
inform the voting location manager of the names and voting 1675  
residences of persons who have confidential voter registration 1676  
records. Those identification envelopes shall be examined and 1677  
processed as described in division (E) of this section. 1678

(C) When the board of elections determines that absent 1679  
voter's ballots shall be processed and counted at the office of 1680  
the board of elections or at another location designated by the 1681

board, special election officials shall be appointed by the 1682  
board for that purpose having the same authority as is exercised 1683  
by precinct election officials. The votes so cast shall be added 1684  
to the vote totals by the board, and the absent voter's ballots 1685  
shall be preserved separately by the board, in the same manner 1686  
and for the same length of time as provided by section 3505.31 1687  
of the Revised Code. 1688

(D) Each of the identification envelopes purporting to 1689  
contain absent voter's ballots delivered to the voting location 1690  
manager of the precinct or the special election official 1691  
appointed by the board of elections shall be handled as follows: 1692

(1) The election officials shall compare the signature of 1693  
the elector on the outside of the identification envelope with 1694  
the signature of that elector on the elector's registration form 1695  
and verify that the absent voter's ballot is eligible to be 1696  
counted under section 3509.07 of the Revised Code. 1697

(2) (a) Any of the precinct officials may challenge the 1698  
right of the elector named on the identification envelope to 1699  
vote the absent voter's ballots upon the ground that the 1700  
signature on the envelope is not the same as the signature on 1701  
the registration form, that the identification envelope 1702  
statement of voter is incomplete, or upon any other of the 1703  
grounds upon which the right of persons to vote may be lawfully 1704  
challenged. 1705

(b) If the elector's name does not appear in the pollbook 1706  
or poll list or signature pollbook, the precinct officials shall 1707  
deliver the absent voter's ballots to the director of the board 1708  
of elections to be examined and processed in the manner 1709  
described in division (E) of this section. 1710

(3) (a) An identification envelope statement of voter shall 1711  
be considered incomplete if it does not include all of the 1712  
following: 1713

(i) The voter's name; 1714

(ii) The voter's residence address or, if the voter has a 1715  
confidential voter registration record, as described in section 1716  
111.44 of the Revised Code, the voter's program participant 1717  
identification number; 1718

(iii) The voter's date of birth. The requirements of this 1719  
division are satisfied if the voter provided a date of birth and 1720  
any of the following is true: 1721

(I) The month and day of the voter's date of birth on the 1722  
identification envelope statement of voter are not different 1723  
from the month and day of the voter's date of birth contained in 1724  
the statewide voter registration database. 1725

(II) The voter's date of birth contained in the statewide 1726  
voter registration database is January 1, 1800. 1727

(III) The board of elections has found, by a vote of at 1728  
least three of its members, that the voter has met the 1729  
requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of 1730  
this section. 1731

(iv) The voter's signature; and 1732

(v) One of the following forms of identification: 1733

(I) The voter's driver's license number; 1734

(II) The last four digits of the voter's social security 1735  
number; or 1736

(III) A copy of a current and valid photo identification, 1737

a military identification, or a current utility bill, bank 1738  
statement, government check, paycheck, or other government 1739  
document, other than a notice of voter registration mailed by a 1740  
board of elections, that shows the voter's name and address. 1741

(b) If the election officials find that the identification 1742  
envelope statement of voter is incomplete or that the 1743  
information contained in that statement does not conform to the 1744  
information contained in the statewide voter registration 1745  
database concerning the voter, the election officials shall mail 1746  
a written notice to the voter, informing the voter of the nature 1747  
of the defect. The notice shall inform the voter that in order 1748  
for the voter's ballot to be counted, the voter must provide the 1749  
necessary information to the board of elections in writing and 1750  
on a form prescribed by the secretary of state not later than 1751  
the seventh day after the day of the election. The voter may 1752  
deliver the form to the office of the board in person or by 1753  
mail. If the voter provides the necessary information to the 1754  
board of elections not later than the seventh day after the day 1755  
of the election and the ballot is not successfully challenged on 1756  
another basis, the voter's ballot shall be processed and counted 1757  
in accordance with this section. 1758

(4) If no such challenge is made, or if such a challenge 1759  
is made and not sustained, the voting location manager shall 1760  
open the envelope without defacing the statement of voter and 1761  
without mutilating the ballots in it, and shall remove the 1762  
ballots contained in it and proceed to count them. 1763

(5) (a) Except as otherwise provided in division (D) (5) (b) 1764  
of this section, the name of each person voting who is entitled 1765  
to vote only an absent voter's presidential ballot shall be 1766  
entered in a pollbook or poll list or signature pollbook 1767

followed by the words "Absentee Presidential Ballot." The name 1768  
of each person voting an absent voter's ballot, other than such 1769  
persons entitled to vote only a presidential ballot, shall be 1770  
entered in the pollbook or poll list or signature pollbook and 1771  
the person's registration card marked to indicate that the 1772  
person has voted. 1773

(b) If the person voting has a confidential voter 1774  
registration record, the person's registration card shall be 1775  
marked to indicate that the person has voted, but the person's 1776  
name shall not be entered in the pollbook or poll list or 1777  
signature pollbook. 1778

(6) The date of such election shall also be entered on the 1779  
elector's registration form. If any such challenge is made and 1780  
sustained, the identification envelope of such elector shall not 1781  
be opened, shall be endorsed "Not Counted" with the reasons the 1782  
ballots were not counted, and shall be delivered to the board. 1783

(E) (1) When the board of elections receives absent voter's 1784  
ballots from an elector who has provided a program participant 1785  
identification number instead of a residence address on the 1786  
identification envelope statement of voter, the director and the 1787  
deputy director personally shall examine and process the 1788  
identification envelope statement of voter in the manner 1789  
prescribed in division (D) of this section. 1790

(2) If the director and the deputy director find that the 1791  
identification envelope statement of voter is incomplete or that 1792  
the information contained in that statement does not conform to 1793  
the information contained in the statewide voter registration 1794  
database concerning the voter or to the information contained in 1795  
the voter's confidential voter registration record, the director 1796  
and the deputy director shall mail a written notice to the voter 1797

informing the voter of the nature of the defect. The notice 1798  
shall inform the voter that in order for the voter's ballot to 1799  
be counted the voter must provide the necessary information to 1800  
the board of elections in writing and on a form prescribed by 1801  
the secretary of state not later than the seventh day after the 1802  
day of the election. The voter may deliver the form to the 1803  
office of the board in person or by mail. If the voter provides 1804  
the necessary information to the board of elections not later 1805  
than the seventh day after the day of the election and the 1806  
ballot is not successfully challenged on another basis, the 1807  
voter's ballot shall be counted in accordance with this section. 1808

(3) The director or the deputy director may challenge the 1809  
ballot on the ground that the signature on the envelope is not 1810  
the same as the signature on the registration form, that the 1811  
identification envelope statement of voter is incomplete, or 1812  
upon any other of the grounds upon which the right of persons to 1813  
vote may be lawfully challenged. If such a challenge is made, 1814  
the board of elections shall decide whether to sustain the 1815  
challenge. 1816

(4) If neither the director nor the deputy director 1817  
challenges the ballot, or if such a challenge is made and not 1818  
sustained, the director and the deputy director shall open the 1819  
envelope without defacing the statement of voter and without 1820  
mutilating the ballots in it, shall remove the ballots contained 1821  
in it, and shall transmit the ballots to the election officials 1822  
to be counted with other absent voter's ballots from that 1823  
precinct. 1824

(F) The board of elections ~~may~~ shall process absent 1825  
voter's ballots before the time for counting those ballots, but 1826  
the board shall not tabulate or count the votes on those ballots 1827

before that time. As used in this section and section 3511.11 of 1828  
the Revised Code, processing an absent voter's ballot means ~~any~~ 1829  
all of the following: 1830

(1) Examining the identification envelope statement of 1831  
voter in order to verify that the absent voter's ballot is 1832  
eligible to be counted under section 3509.07 of the Revised 1833  
Code; 1834

(2) Opening the identification envelope, if the absent 1835  
voter's ballot is eligible to be counted; 1836

(3) Determining the validity of the absent voter's ballot 1837  
under section 3509.07 of the Revised Code; 1838

(4) Preparing and sorting the absent voter's ballot for 1839  
scanning by automatic tabulating equipment; 1840

(5) Scanning the absent voter's ballot by automatic 1841  
tabulating equipment, if the equipment used by the board of 1842  
elections permits an absent voter's ballot to be scanned without 1843  
tabulating or counting the votes on the ballots scanned. 1844

(G) Special election officials, employees or members of 1845  
the board of elections, or observers shall not disclose the 1846  
count or any portion of the count of absent voter's ballots 1847  
prior to the time of the closing of the polling places. No 1848  
person shall recklessly disclose the count or any portion of the 1849  
count of absent voter's ballots in such a manner as to 1850  
jeopardize the secrecy of any individual ballot. 1851

(H) (1) Except as otherwise provided in division (H) (2) of 1852  
this section, observers may be appointed under section 3505.21 1853  
of the Revised Code to witness the examination and opening of 1854  
identification envelopes and the processing and counting of 1855  
absent voters' ballots under this section. 1856



(2) Observers shall not be permitted to witness the examination and opening of identification envelopes returned by, and the processing and counting of absent voter's ballots cast by, electors who have confidential voter registration records in a manner that would permit the observers to learn the identities or residence addresses of those electors.

**Sec. 3509.08.** (A) Any qualified elector, who, on account of the elector's own personal illness, physical disability, or infirmity, or on account of the elector's confinement in a jail or workhouse under sentence for a misdemeanor or awaiting trial on a felony or misdemeanor, will be unable to travel from the elector's home or place of confinement to the voting booth in the elector's precinct on the day of any general, special, or primary election may make application in writing for an absent voter's ballot to ~~the director of the~~ board of elections of the elector's county in the manner described in section 3509.03 of the Revised Code. The application ~~shall include all of the information required under section 3509.03 of the Revised Code and~~ shall state the nature of the elector's illness, physical disability, or infirmity, or the fact that the elector is confined in a jail or workhouse and the elector's resultant inability to travel to the election booth in the elector's precinct on election day. ~~The application shall not be valid if it is delivered to the director before the ninetieth day or after twelve noon of the third day before the day of the election at which the ballot is to be voted.~~

The absent voter's ballot may be mailed directly to the applicant at the applicant's voting residence or place of confinement as stated in the applicant's application, or the board may designate two board employees belonging to the two major political parties for the purpose of delivering the ballot

to the disabled or confined elector and returning it to the 1888  
board, unless the applicant is confined to a public or private 1889  
institution within the county, in which case the board shall 1890  
designate two board employees belonging to the two major 1891  
political parties for the purpose of delivering the ballot to 1892  
the disabled or confined elector and returning it to the board. 1893  
In all other instances, the ballot shall be returned to the 1894  
office of the board in the manner prescribed in section 3509.05 1895  
of the Revised Code. 1896

Any disabled or confined elector who declares to the two 1897  
board employees belonging to the two major political parties 1898  
that the elector is unable to mark the elector's ballot by 1899  
reason of physical infirmity that is apparent to the employees 1900  
to be sufficient to incapacitate the voter from marking the 1901  
elector's ballot properly, may receive, upon request, the 1902  
assistance of the employees in marking the elector's ballot, and 1903  
they shall thereafter give no information in regard to this 1904  
matter. Such assistance shall not be rendered for any other 1905  
cause. 1906

When two board employees belonging to the two major 1907  
political parties deliver a ballot to a disabled or confined 1908  
elector, each of the employees shall be present when the ballot 1909  
is delivered, when assistance is given, and when the ballot is 1910  
returned to the office of the board, and shall subscribe to the 1911  
declaration on the identification envelope. 1912

The secretary of state shall prescribe the form of 1913  
application for absent voter's ballots under this division. 1914

This chapter applies to disabled and confined absent 1915  
voter's ballots except as otherwise provided in this section. 1916

(B) (1) Any qualified elector who is unable to travel to 1917  
the voting booth in the elector's precinct on the day of any 1918  
general, special, or primary election may apply to ~~the director~~ 1919  
~~of~~ the board of elections of the county where the elector is a 1920  
qualified elector to vote in the election by absent voter's 1921  
ballot if either of the following apply: 1922

(a) The elector is confined in a hospital as a result of 1923  
an accident or unforeseeable medical emergency occurring before 1924  
the election; 1925

(b) The elector's minor child is confined in a hospital as 1926  
a result of an accident or unforeseeable medical emergency 1927  
occurring before the election. 1928

(2) The application authorized under division (B) (1) of 1929  
this section shall be made in writing, ~~shall include all of the~~ 1930  
~~information required under~~ in the manner described in section 1931  
3509.03 of the Revised Code, ~~and except that the application~~ 1932  
shall be delivered to the ~~director~~ office of the board not later 1933  
than three p.m. on the day of the election. The application 1934  
shall indicate the hospital where the applicant or the 1935  
applicant's child is confined, the date of the applicant's or 1936  
the applicant's child's admission to the hospital, and the 1937  
offices for which the applicant is qualified to vote. The 1938  
applicant may also request that a member of the applicant's 1939  
family, as listed in section 3509.05 of the Revised Code, 1940  
deliver the absent voter's ballot to the applicant. ~~The director~~ 1941  
board, after establishing to the ~~director's~~ board's satisfaction 1942  
the validity of the circumstances claimed by the applicant, 1943  
shall supply an absent voter's ballot to be delivered to the 1944  
applicant. When the applicant or the applicant's child is in a 1945  
hospital in the county where the applicant is a qualified 1946

elector and no request is made for a member of the family to 1947  
deliver the ballot, the ~~director-board~~ shall arrange for the 1948  
delivery of an absent voter's ballot to the applicant, and for 1949  
its return to the office of the board, by two board employees 1950  
belonging to the two major political parties according to the 1951  
procedures prescribed in division (A) of this section. When the 1952  
applicant or the applicant's child is in a hospital outside the 1953  
county where the applicant is a qualified elector and no request 1954  
is made for a member of the family to deliver the ballot, the 1955  
~~director-board~~ shall arrange for the delivery of an absent 1956  
voter's ballot to the applicant by mail, and the ballot shall be 1957  
returned to the office of the board in the manner prescribed in 1958  
section 3509.05 of the Revised Code. 1959

(3) Any qualified elector who is eligible to vote under 1960  
division (B) or (C) of section 3503.16 of the Revised Code but 1961  
is unable to do so because of the circumstances described in 1962  
division (B)(2) of this section may vote in accordance with 1963  
division (B)(1) of this section if that qualified elector states 1964  
in the application for absent voter's ballots that that 1965  
qualified elector moved or had a change of name under the 1966  
circumstances described in division (B) or (C) of section 1967  
3503.16 of the Revised Code and if that qualified elector 1968  
complies with divisions (G)(1) to (4) of section 3503.16 of the 1969  
Revised Code. 1970

(C) Any qualified elector described in division (A) or (B) 1971  
(1) of this section who needs no assistance to vote or to return 1972  
absent voter's ballots to the board of elections may apply for 1973  
absent voter's ballots under section 3509.03 or 3509.051 of the 1974  
Revised Code instead of applying for them under this section. 1975

**Sec. 3509.09.** (A) The poll list or signature pollbook for 1976

each precinct shall identify each registered elector in that 1977  
precinct who has requested an absent voter's ballot for that 1978  
election, other than an elector who has a confidential voter 1979  
registration record, as described in section 111.44 of the 1980  
Revised Code. 1981

(B) (1) If a registered elector appears to vote in that 1982  
precinct and that elector has requested an absent voter's ballot 1983  
for that election but the ~~director~~board of elections has not 1984  
received a sealed identification envelope purporting to contain 1985  
that elector's voted absent voter's ballots for that election, 1986  
the elector shall be permitted to cast a provisional ballot 1987  
under section 3505.181 of the Revised Code in that precinct on 1988  
the day of that election. 1989

(2) If a registered elector appears to vote in that 1990  
precinct and that elector has requested an absent voter's ballot 1991  
for that election and the ~~director~~board has received a sealed 1992  
identification envelope purporting to contain that elector's 1993  
voted absent voter's ballots for that election, the elector 1994  
shall be permitted to cast a provisional ballot under section 1995  
3505.181 of the Revised Code in that precinct on the day of that 1996  
election. 1997

(C) (1) In counting absent voter's ballots under section 1998  
3509.06 of the Revised Code, the board of elections shall 1999  
compare the signature of each elector from whom the ~~director~~ 2000  
board has received a sealed identification envelope purporting 2001  
to contain that elector's voted absent voter's ballots for that 2002  
election to the signature on that elector's registration form. 2003  
Except as otherwise provided in division (C) (3) of this section, 2004  
if the board of elections determines that the absent voter's 2005  
ballot in the sealed identification envelope is valid, it shall 2006

be counted. If the board of elections determines that the signature on the sealed identification envelope purporting to contain the elector's voted absent voter's ballot does not match the signature on the elector's registration form, the ballot shall be set aside and the board shall examine, during the time prior to the beginning of the official canvass, the poll list or signature pollbook from the precinct in which the elector is registered to vote to determine if the elector also cast a provisional ballot under section 3505.181 of the Revised Code in that precinct on the day of the election.

(2) The board of elections shall count the provisional ballot, instead of the absent voter's ballot, if both of the following apply:

(a) The board of elections determines that the signature of the elector on the outside of the identification envelope in which the absent voter's ballots are enclosed does not match the signature of the elector on the elector's registration form;

(b) The elector cast a provisional ballot in the precinct on the day of the election.

(3) If the board of elections does not receive the sealed identification envelope purporting to contain the elector's voted absent voter's ballot by the applicable deadline established under section 3509.05 of the Revised Code, the provisional ballot cast under section 3505.181 of the Revised Code in that precinct on the day of the election shall be counted as valid, if that provisional ballot is otherwise determined to be valid pursuant to section 3505.183 of the Revised Code.

(D) If the board of elections counts a provisional ballot

under division (C) (2) or (3) of this section, the returned 2036  
identification envelope of that elector shall not be opened, and 2037  
the ballot within that envelope shall not be counted. The 2038  
identification envelope shall be endorsed "Not Counted" with the 2039  
reason the ballot was not counted. 2040

**Sec. 3511.02.** (A) Notwithstanding any section of the 2041  
Revised Code to the contrary, whenever any person applies for 2042  
registration as a voter on a form adopted in accordance with 2043  
federal regulations relating to the "Uniformed and Overseas 2044  
Citizens Absentee Voting Act," 100 Stat. 924, ~~42-52~~ U.S.C.A. 2045  
~~1973ff (1986)~~ 20301, this application shall be sufficient for 2046  
voter registration and as a request for an absent voter's 2047  
ballot. Uniformed services or overseas absent voter's ballots 2048  
may be obtained by any person meeting the requirements of 2049  
section 3511.011 of the Revised Code by applying electronically 2050  
to the secretary of state or to the board of elections of the 2051  
county in which the person's voting residence is located in 2052  
accordance with section 3511.021 of the Revised Code or by 2053  
applying to the ~~director of the~~ board of elections of the county 2054  
in which the person's voting residence is located, in one of the 2055  
following ways: 2056

(1) That person may make written application for those 2057  
ballots. The person may personally deliver the application to 2058  
the ~~director~~ office of the board or may mail it, send it by 2059  
facsimile machine, send it by electronic mail, send it through 2060  
internet delivery if such delivery is offered by the board of 2061  
elections or the secretary of state, or otherwise send it to the 2062  
~~director~~ board. Except as otherwise provided in division (B) of 2063  
this section, the application ~~need not be in any particular~~ 2064  
shall be on a form but prescribed by the secretary of state and 2065  
shall contain all of the following information: 2066

(a) The elector's name;	2067
(b) The elector's signature;	2068
(c) The address at which the elector is registered to vote;	2069 2070
(d) The elector's date of birth;	2071
(e) One of the following:	2072
(i) The elector's driver's license number;	2073
(ii) The last four digits of the elector's social security number;	2074 2075
(iii) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	2076 2077 2078 2079 2080 2081 2082
(f) A statement identifying the election for which absent voter's ballots are requested;	2083 2084
(g) A statement that the person requesting the ballots is a qualified elector;	2085 2086
(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in <u>42-52 U.S.C.</u> <u><del>1973ff-6</del> 20310</u> ;	2087 2088 2089
(i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United	2090 2091 2092 2093



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

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

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

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

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

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

ballots for each election. 2123

(3) Application to have uniformed services or overseas 2124  
absent voter's ballots mailed or sent by facsimile machine to 2125  
such a person may be made by the spouse, father, mother, father- 2126  
in-law, mother-in-law, grandfather, grandmother, brother or 2127  
sister of the whole blood or half blood, son, daughter, adopting 2128  
parent, adopted child, stepparent, stepchild, daughter-in-law, 2129  
son-in-law, uncle, aunt, nephew, or niece of such a person. The 2130  
application shall be in writing upon a blank form furnished only 2131  
by the ~~director board~~ or on a single federal post card as 2132  
provided in division (A) (2) of this section. The form of the 2133  
application shall be prescribed by the secretary of state. The 2134  
~~director board~~ shall furnish that blank form to any of the 2135  
relatives specified in this division desiring to make the 2136  
application, only upon the request of such a relative made in 2137  
person at the office of the board or upon the written request of 2138  
such a relative mailed to the office of the board. Except as 2139  
otherwise provided in division (B) of this section, the 2140  
application, subscribed and sworn to by the applicant, shall 2141  
contain all of the following: 2142

(a) The full name of the elector for whom ballots are 2143  
requested; 2144

(b) A statement that the elector is an absent uniformed 2145  
services voter or overseas voter as defined in ~~42-52~~ U.S.C. 2146  
~~1973ff-6~~ 20310; 2147

(c) The address at which the elector is registered to 2148  
vote; 2149

(d) A statement identifying the elector's length of 2150  
residence in the state immediately preceding the commencement of 2151

service, immediately preceding the date of leaving to be with or 2152  
near a service member, or immediately preceding leaving the 2153  
United States, or a statement that the elector's parent or legal 2154  
guardian resided in this state long enough to establish 2155  
residency for voting purposes immediately preceding leaving the 2156  
United States, as the case may be; 2157

(e) The elector's date of birth; 2158

(f) One of the following: 2159

(i) The elector's driver's license number; 2160

(ii) The last four digits of the elector's social security 2161  
number; 2162

(iii) A copy of the elector's current and valid photo 2163  
identification, a copy of a military identification, or a copy 2164  
of a current utility bill, bank statement, government check, 2165  
paycheck, or other government document, other than a notice of 2166  
voter registration mailed by a board of elections under section 2167  
3503.19 of the Revised Code, that shows the name and address of 2168  
the elector. 2169

(g) A statement identifying the election for which absent 2170  
voter's ballots are requested; 2171

(h) A statement that the person requesting the ballots is 2172  
a qualified elector; 2173

(i) If the request is for primary election ballots, the 2174  
elector's party affiliation; 2175

(j) A statement that the applicant bears a relationship to 2176  
the elector as specified in division (A) (3) of this section; 2177

(k) The address to which ballots shall be mailed, the 2178

telephone number to which ballots shall be sent by facsimile 2179  
machine, the electronic mail address to which ballots shall be 2180  
sent by electronic mail, or, if internet delivery is offered by 2181  
the board of elections or the secretary of state, the internet 2182  
contact information to which ballots shall be sent through 2183  
internet delivery; 2184

(1) The signature and address of the person making the 2185  
application. 2186

(B) If the elector has a confidential voter registration 2187  
record, as described in section 111.44 of the Revised Code, the 2188  
application may include the elector's program participant 2189  
identification number instead of the address at which the 2190  
elector is registered to vote. 2191

(C) Each application for uniformed services or overseas 2192  
absent voter's ballots shall be delivered to the ~~director office~~ 2193  
of the board not earlier than the first day of January of the 2194  
year of the elections for which the uniformed services or 2195  
overseas absent voter's ballots are requested or not earlier 2196  
than ninety days before the day of the election at which the 2197  
ballots are to be voted, whichever is earlier, ~~and. An~~ 2198  
application to receive uniformed services or overseas absent 2199  
voter's ballots by mail or by another method permitted under 2200  
section 3511.021 of the Revised Code shall be delivered to the 2201  
office of the board not later than ~~twelve noon of the third~~ 2202  
close of business on the seventh day preceding the day of the 2203  
election, ~~or not later than six p.m. on the last Friday before~~ 2204  
~~the day of the election at which those ballots are to be voted~~ 2205  
~~if the application is delivered in person to the office of the~~ 2206  
~~board.~~ 2207

(D) If the voter for whom the application is made is 2208

entitled to vote for presidential and vice-presidential electors 2209  
only, the applicant shall submit to the ~~director~~ board in 2210  
addition to the requirements of division (A) of this section, a 2211  
statement to the effect that the voter is qualified to vote for 2212  
presidential and vice-presidential electors and for no other 2213  
offices. 2214

~~(E) A board of elections that mails a federal post card~~ 2215  
~~application or other absent voter's ballot application to an~~ 2216  
~~elector under this section~~ No public office, and no public 2217  
official or employee who is acting in an official capacity, 2218  
shall ~~not prepay~~ do either of the following: 2219

(1) Prepay the return postage for that an application for 2220  
absent voter's ballots; 2221

(2) Mail or otherwise deliver an unsolicited application 2222  
for absent voter's ballots to any person, except as provided in 2223  
section 3501.05 of the Revised Code. 2224

(F) Except as otherwise provided in this section and in 2225  
sections 3505.24 and 3509.08 of the Revised Code, an election 2226  
official shall not fill out any portion of a federal post card 2227  
application or other application for absent voter's ballots on 2228  
behalf of an applicant. The secretary of state or a board of 2229  
elections may preprint only an applicant's name and address on a 2230  
federal post card application or other application for absent 2231  
voter's ballots before mailing that application to the 2232  
applicant, except that if the applicant has a confidential voter 2233  
registration record, the secretary of state or the board of 2234  
elections shall not preprint the applicant's address on the 2235  
application. 2236

**Sec. 3511.04.** (A) If a ~~director of a~~ board of elections 2237

receives an application for uniformed services or overseas 2238  
absent voter's ballots that does not contain all of the required 2239  
information or is not submitted on an appropriate form, the 2240  
~~director board~~ promptly shall notify the applicant of the 2241  
additional information required to be provided by the applicant 2242  
to complete that application, direct the applicant to use an 2243  
appropriate form, or both, as applicable. 2244

(B) Not later than the forty-sixth day before the day of 2245  
each general or primary election, and at the earliest possible 2246  
time before the day of a special election held on a day other 2247  
than the day on which a general or primary election is held, the 2248  
~~director of the~~ board of elections shall mail, send by facsimile 2249  
machine, send by electronic mail, send through internet delivery 2250  
if such delivery is offered by the board of elections or the 2251  
secretary of state, or otherwise send uniformed services or 2252  
overseas absent voter's ballots then ready for use as provided 2253  
for in section 3511.03 of the Revised Code and for which the 2254  
~~director board~~ has received valid applications prior to that 2255  
time. Thereafter, and until ~~twelve noon of the third~~ close of 2256  
business on the seventh day preceding the day of election, the 2257  
~~director board~~ shall promptly, upon receipt of valid 2258  
applications for them, mail, send by facsimile machine, send by 2259  
electronic mail, send through internet delivery if such delivery 2260  
is offered by the board of elections or the secretary of state, 2261  
or otherwise send to the proper persons all uniformed services 2262  
or overseas absent voter's ballots then ready for use. 2263

If, after the seventieth day before the day of a general 2264  
or primary election, any other question, issue, or candidacy is 2265  
lawfully ordered submitted to the electors voting at the general 2266  
or primary election, the board shall promptly provide a separate 2267  
official issue, special election, or other election ballot for 2268

submitting the question, issue, or candidacy to those electors, 2269  
and the ~~director-board~~ shall promptly mail, send by facsimile 2270  
machine, send by electronic mail, send through internet delivery 2271  
if such delivery is offered by the board of elections or the 2272  
secretary of state, or otherwise send each such separate ballot 2273  
to each person to whom the ~~director-board~~ has previously mailed 2274  
or sent other uniformed services or overseas absent voter's 2275  
ballots. 2276

~~A board of elections that mails or otherwise delivers~~ 2277  
~~uniformed services or overseas absent voter's ballots to an~~ 2278  
~~elector under this section~~ No public office, and no public 2279  
official or employee who is acting in an official capacity, 2280  
shall ~~not~~ prepay the return postage for ~~those~~ any absent voter's 2281  
ballots. In mailing uniformed services or overseas absent 2282  
voter's ballots, the ~~director-board~~ shall use the fastest mail 2283  
service available, but the ~~director-board~~ shall not mail them by 2284  
certified mail. 2285

**Sec. 3511.05.** (A) The ~~director of the~~ board of elections 2286  
shall place uniformed services or overseas absent voter's 2287  
ballots sent by mail in an unsealed identification envelope, 2288  
gummed ready for sealing. The ~~director-board~~ shall include with 2289  
uniformed services or overseas absent voter's ballots sent 2290  
electronically, including by facsimile machine, an instruction 2291  
sheet for preparing a gummed envelope in which the ballots shall 2292  
be returned. The envelope for returning ballots sent by either 2293  
means shall have printed or written on its face a form 2294  
substantially as follows: 2295

"Identification Envelope Statement of Voter 2296

I, \_\_\_\_\_ (Name of voter), declare under 2297  
penalty of election falsification that the within ballot or 2298

ballots contained no voting marks of any kind when I received 2299  
them, and I caused the ballot or ballots to be marked, enclosed 2300  
in the identification envelope, and sealed in that envelope. 2301

My voting residence in Ohio is 2302

\_\_\_\_\_ 2303

(Street and Number, if any, or Rural Route and Number) 2304

of \_\_\_\_\_ (City, Village, or Township) 2305

Ohio, which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_ 2306

in that city, village, or township. 2307

If I have a confidential voter registration record, I am 2308

providing my program participant identification number instead 2309

of my residence address: \_\_\_\_\_ 2310

The primary election ballots, if any, within this envelope 2311

are primary election ballots of the \_\_\_\_\_ Party. 2312

Ballots contained within this envelope are to be voted at 2313

the \_\_\_\_\_ (general, special, or primary) election to be 2314

held on the \_\_\_\_\_ day of 2315

\_\_\_\_\_, \_\_\_\_\_. 2316

My date of birth is \_\_\_\_\_ (Month and Day), 2317

\_\_\_\_\_ (Year). 2318

~~(Voter You~~ must provide one of the following:) 2319

~~My Your~~ driver's license number ~~is:~~ \_\_\_\_\_ 2320

~~(Driver's license number).~~ 2321

~~The If you do not have or cannot provide a driver's~~ 2322

~~license number, the last four digits of my your~~ Social Security 2323

~~Number are:~~ \_\_\_\_\_ ~~(Last four digits of Social Security~~ 2324

~~Number).~~ 2325



\_\_\_\_\_ ~~In lieu of providing a driver's license number or~~ 2326  
~~the last four digits of my Social Security Number, I am~~ 2327  
~~enclosing a~~ If you do not have or cannot provide a driver's 2328  
license number or the last four digits of your Social Security 2329  
number, a copy of one of the following in the return envelope in 2330  
~~which this identification envelope will be mailed:~~ a current and 2331  
valid photo identification, a military identification, or a 2332  
current utility bill, bank statement, government check, 2333  
paycheck, or other government document, other than a notice of 2334  
voter registration mailed by a board of elections, that shows ~~my~~ 2335  
your name and address. If you provide a copy of one of those 2336  
documents, enclose it in the return envelope along with the 2337  
identification envelope. 2338

I hereby declare, under penalty of election falsification, 2339  
that the statements above are true, as I verily believe. 2340

\_\_\_\_\_  
(Signature of Voter) 2341  
2342

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2343  
THE FIFTH DEGREE." 2344

(B) The ~~director-board~~ shall also mail with the ballots 2345  
and the unsealed identification envelope sent by mail an 2346  
unsealed return envelope, gummed, ready for sealing, for use by 2347  
the voter in returning the voter's marked ballots to the 2348  
~~director office of the board.~~ The ~~director-board~~ shall send with 2349  
the ballots and the instruction sheet for preparing a gummed 2350  
envelope sent electronically, including by facsimile machine, an 2351  
instruction sheet for preparing a second gummed envelope as 2352  
described in this division, for use by the voter in returning 2353  
that voter's marked ballots to the ~~director board.~~ The return 2354

envelope shall have two parallel lines, each one quarter of an 2355  
inch in width, printed across its face paralleling the top, with 2356  
an intervening space of one quarter of an inch between such 2357  
lines. The top line shall be one and one-quarter inches from the 2358  
top of the envelope. Between the parallel lines shall be 2359  
printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 2360  
ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank lines shall 2361  
be printed in the upper left corner on the face of the envelope 2362  
for the use by the voter in placing the voter's complete 2363  
military, naval, or mailing address on these lines, and beneath 2364  
these lines there shall be printed a box beside the words "check 2365  
if out-of-country." The voter shall check this box if the voter 2366  
will be outside the United States on the day of the election. 2367  
The ~~official title and the post-office address of the director~~ 2368  
~~to whom the envelope shall be returned~~ office of the board shall 2369  
be printed on the face of such envelope in the lower right 2370  
portion below the bottom parallel line. 2371

(C) On the back of each identification envelope and each 2372  
return envelope shall be printed the following: 2373

"Instructions to voter: 2374

If the flap on this envelope is so firmly stuck to the 2375  
back of the envelope when received by you as to require forcible 2376  
opening in order to use it, open the envelope in the manner 2377  
least injurious to it, and, after marking your ballots and 2378  
enclosing same in the envelope for mailing them to the ~~director~~ 2379  
~~of the~~ board of elections, reclose the envelope in the most 2380  
practicable way, by sealing or otherwise, and sign the blank 2381  
form printed below. 2382

The flap on this envelope was firmly stuck to the back of 2383  
the envelope when received, and required forced opening before 2384

sealing and mailing. 2385

\_\_\_\_\_ 2386

(Signature of voter)" 2387

(D) Division (C) of this section does not apply when 2388  
absent voter's ballots are sent electronically, including by 2389  
facsimile machine. 2390

(E) Except as otherwise provided in this division and in 2391  
sections 3505.24 and 3509.08 of the Revised Code, an election 2392  
official shall not fill out any portion of an identification 2393  
envelope statement of voter or an absent voter's ballot on 2394  
behalf of an elector. A board of elections may preprint only an 2395  
elector's name and address on an identification envelope 2396  
statement of voter before mailing or electronically transmitting 2397  
absent voter's ballots to the elector, except that if the 2398  
elector has a confidential voter registration record, as 2399  
described in section 111.44 of the Revised Code, the board of 2400  
elections shall not preprint the elector's address on the 2401  
identification envelope statement of voter. 2402

**Sec. 3511.06.** The return envelope provided for in section 2403  
3511.05 of the Revised Code shall be of such size that the 2404  
identification envelope can be conveniently placed within it for 2405  
returning the identification envelope to the ~~director~~ office of 2406  
the board of elections. The envelope in which the two envelopes 2407  
and the uniformed services or overseas absent voter's ballots 2408  
are mailed to the elector shall have two parallel lines, each 2409  
one quarter of an inch in width, printed across its face, 2410  
paralleling the top, with an intervening space of one-quarter of 2411  
an inch between such lines. The top line shall be one and one- 2412  
quarter inches from the top of the envelope. Between the 2413

parallel lines shall be printed: "official uniformed services or 2414  
overseas absent voter's balloting material--via air mail." The 2415  
appropriate return address of the ~~director of the~~ board of 2416  
elections shall be printed in the upper left corner on the face 2417  
of such envelope. Several blank lines shall be printed on the 2418  
face of such envelope in the lower right portion, below the 2419  
bottom parallel line, for writing in the name and address of the 2420  
elector to whom such envelope is mailed. 2421

**Sec. 3511.07.** When mailing unsealed identification 2422  
envelopes and unsealed return envelopes to persons, the ~~director~~ 2423  
~~of the~~ board of elections shall insert a sheet of waxed paper or 2424  
other appropriate insert between the gummed flap and the back of 2425  
each of such envelopes to minimize the possibility that the flap 2426  
may become firmly stuck to the back of the envelope by reason of 2427  
moisture, humid atmosphere, or other conditions to which they 2428  
may be subjected. If the flap on either of such envelopes should 2429  
be so firmly stuck to the back of the envelope when it is 2430  
received by the voter as to require forcible opening of the 2431  
envelope in order to use it, the voter shall open such envelope 2432  
in the manner least injurious to it, and, after marking ~~his~~ the 2433  
voter's ballots and enclosing them in the envelope for mailing 2434  
to the ~~director~~board, ~~he~~ the voter shall reclose such envelope 2435  
in the most practicable way, by sealing it or otherwise, and 2436  
shall sign the blank form printed on the back of such envelope. 2437

**Sec. 3511.08.** The ~~director of the~~ board of elections shall 2438  
keep a record of the name and address of each person to whom the 2439  
~~director~~board mails or delivers uniformed services or overseas 2440  
absent voter's ballots, the kinds of ballots so mailed or 2441  
delivered, and the name and address of the person who made the 2442  
application for such ballots. After the ~~director~~board has 2443  
mailed or delivered such ballots the ~~director~~board shall not 2444

mail or deliver additional ballots of the same kind to such 2445  
person pursuant to a subsequent request unless such subsequent 2446  
request contains the statement that an earlier request had been 2447  
sent to the ~~director-board~~ prior to the thirtieth day before the 2448  
election and that the uniformed services or overseas absent 2449  
voter's ballots so requested had not been received by such 2450  
person prior to the fifteenth day before the election, and 2451  
provided that the ~~director-board~~ has not received an 2452  
identification envelope purporting to contain marked uniformed 2453  
services or overseas absent voter's ballots from such person. 2454

**Sec. 3511.09.** (A) Upon receiving uniformed services or 2455  
overseas absent voter's ballots, the elector shall cause the 2456  
questions on the face of the identification envelope to be 2457  
answered, and, by writing the elector's usual signature in the 2458  
proper place on the identification envelope, the elector shall 2459  
declare under penalty of election falsification that the answers 2460  
to those questions are true and correct to the best of the 2461  
elector's knowledge and belief. Then, the elector shall note 2462  
whether there are any voting marks on the ballot. If there are 2463  
any voting marks, the ballot shall be returned immediately to 2464  
the board of elections; otherwise, the elector shall cause the 2465  
ballot to be marked, folded separately so as to conceal the 2466  
markings on it, deposited in the identification envelope, and 2467  
securely sealed in the identification envelope. The elector then 2468  
shall cause the identification envelope to be placed within the 2469  
return envelope, sealed in the return envelope, and mailed to 2470  
~~the director of~~ the board of elections to ~~whom~~ which it is 2471  
addressed. The ballot shall be submitted for mailing not later 2472  
than 12:01 a.m. at the place where the voter completes the 2473  
ballot, on the date of the election. ~~If~~ 2474

(B) If the elector does not provide the elector's driver's 2475

license or state identification card number or the last four 2476  
digits of the elector's social security number on the statement 2477  
of voter on the identification envelope, the elector also shall 2478  
include in the return envelope with the identification envelope 2479  
a copy of the elector's current valid photo identification, a 2480  
copy of a military identification, or a copy of a current 2481  
utility bill, bank statement, government check, paycheck, or 2482  
other government document, other than a notice of voter 2483  
registration mailed by a board of elections under section 2484  
3503.19 of the Revised Code, that shows the name and address of 2485  
the elector. ~~Each~~ 2486

(C) Each elector who will be outside the United States on 2487  
the day of the election shall check the box on the return 2488  
envelope indicating this fact and shall mail the return envelope 2489  
to the ~~director board~~ prior to the close of the polls on 2490  
election day. 2491

(D) Every uniformed services or overseas absent voter's 2492  
ballot identification envelope shall be accompanied by the 2493  
following statement in boldface capital letters: WHOEVER COMMITS 2494  
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH 2495  
DEGREE. 2496

(E) The elector shall cause the uniformed services or 2497  
overseas absent voter's ballots to be returned to the office of 2498  
the board of elections in a manner described in division (C) of 2499  
section 3509.05 of the Revised Code, provided that the elector 2500  
shall not be required to prepay the postage on the return 2501  
envelope if, under 39 U.S.C. 3406, no postage is required. 2502

**Sec. 3511.10.** ~~If, after the first day after the close of~~ 2503  
~~voter registration before a general or primary election and~~ 2504  
~~before the close of the polls on the day of that election, a~~ 2505

~~valid application for A uniformed services or overseas absent voter's ballots is delivered to the director of the board of elections voter may cast absent voter's ballots in person at the office of the board ~~by a person making the application on the person's own behalf, the director shall forthwith deliver to the person all uniformed services or overseas absent voter's ballots then ready for use, together with an identification envelope of elections under section 3509.051 of the Revised Code. The person shall then immediately retire to a voting booth in the office of the board, and mark the ballots. The person shall then fold each ballot separately so as to conceal the person's markings thereon, and deposit all of the ballots in the identification envelope and securely seal it. Thereupon the person shall fill in answers to the questions on the face of the identification envelope, and by writing the person's usual signature in the proper place thereon, the person shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of that person's knowledge and belief. The person shall then deliver the identification envelope to the director. If thereafter, and before the third close of business on the seventh day preceding such election, the board provides additional separate official issue or special election ballots, as provided for in section 3511.04 of the Revised Code, the ~~director board~~ shall promptly, and not later than twelve noon of the close of business on the third seventh day preceding the day of election, mail such additional ballots to such person at the address specified by that person for that purpose. ~~Except as otherwise provided in sections 3505.24 and 3509.08 of the Revised Code, an election official shall not fill out any portion of an application for absent voter's ballots, an identification envelope statement of voter, or an absent voter's ballot requested under this section on behalf of an applicant.~~~~~~

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~~In the event any person serving in the armed forces of the United States is discharged after the closing date of registration, and that person or that person's spouse, or both, meets all the other qualifications set forth in section 3511.011 of the Revised Code, the person or spouse shall be permitted to vote prior to the date of the election in the office of the board in the person's or spouse's county, as set forth in this section.~~

**Sec. 3511.11.** (A) ~~Upon receipt of any return envelope bearing the designation "Official Election Uniformed Services or Overseas Absent Voter's Ballot" prior to the eleventh day after the day of any election, the director of the board of elections shall open it but shall not open the identification envelope contained in it. If, upon so opening the return envelope, the director finds ballots in it that are not enclosed in and properly sealed in the identification envelope, the director shall not look at the markings upon the ballots and shall promptly place them in the identification envelope and promptly seal it. If, upon so opening the return envelope, the director finds that ballots are enclosed in the identification envelope but that it is not properly sealed, the director shall not look at the markings upon the ballots and shall promptly seal the identification envelope.~~

~~(B)~~ Uniformed services or overseas absent voter's ballots delivered to the director not later than the close of the polls on election day shall be processed and counted in the manner provided in section 3509.06 of the Revised Code.

~~(C)~~ (B) A return envelope is not required to be postmarked in order for a uniformed services or overseas absent voter's ballot contained in it to be valid. Except as otherwise provided



in this division, whether or not the return envelope containing 2568  
the ballot is postmarked, contains a late postmark, or contains 2569  
an illegible postmark, a uniformed services or overseas absent 2570  
voter's ballot that is received after the close of the polls on 2571  
election day through the ~~tenth~~seventh day after the election 2572  
day shall be processed and counted on the ~~eleventh~~eighth day 2573  
after the election day at the office of the board of elections 2574  
in the manner provided in section 3509.06 of the Revised Code if 2575  
the voter signed the identification envelope by the time 2576  
specified in section 3511.09 of the Revised Code. However, if a 2577  
return envelope containing a uniformed services or overseas 2578  
absent voter's ballot is so received and so indicates, but the 2579  
identification envelope in it is signed after the close of the 2580  
polls on election day, the uniformed services or overseas absent 2581  
voter's ballot shall not be counted. 2582

~~(D)~~(C) The following types of uniformed services or 2583  
overseas absent voter's ballots shall not be counted: 2584

(1) Uniformed services or overseas absent voter's ballots 2585  
contained in return envelopes that bear the designation 2586  
"Official Election Uniformed Services or Overseas Absent Voter's 2587  
Ballots," that are received by the ~~director~~board of elections 2588  
after the close of the polls on the day of the election, and 2589  
that contain an identification envelope that is signed after the 2590  
time specified in section 3511.09 of the Revised Code; 2591

(2) Uniformed services or overseas absent voter's ballots 2592  
contained in return envelopes that bear that designation and 2593  
that are received after the ~~tenth~~seventh day following the 2594  
election. 2595

The uncounted ballots shall be preserved in their 2596  
identification envelopes unopened until the time provided by 2597

section 3505.31 of the Revised Code for the destruction of all 2598  
other ballots used at the election for which ballots were 2599  
provided, at which time they shall be destroyed. 2600

**Sec. 3511.13.** (A) The poll list or signature pollbook for 2601  
each precinct shall identify each registered elector in that 2602  
precinct who has requested a uniformed services or overseas 2603  
absent voter's ballot for that election. 2604

(B) (1) If a registered elector appears to vote in that 2605  
precinct and that elector has requested a uniformed services or 2606  
overseas absent voter's ballot for that election but the 2607  
~~director~~ board of elections has not received a sealed 2608  
identification envelope purporting to contain that elector's 2609  
voted uniformed services or overseas absent voter's ballots for 2610  
that election, the elector shall be permitted to cast a 2611  
provisional ballot under section 3505.181 of the Revised Code in 2612  
that precinct on the day of that election. 2613

(2) If a registered elector appears to vote in that 2614  
precinct and that elector has requested a uniformed services or 2615  
overseas absent voter's ballot for that election and the 2616  
~~director~~ board has received a sealed identification envelope 2617  
purporting to contain that elector's voted uniformed services or 2618  
overseas absent voter's ballots for that election, the elector 2619  
shall be permitted to cast a provisional ballot under section 2620  
3505.181 of the Revised Code in that precinct on the day of that 2621  
election. 2622

(C) (1) In counting uniformed services or overseas absent 2623  
voter's ballots under section 3511.11 of the Revised Code, the 2624  
board of elections shall compare the signature of each elector 2625  
from whom the ~~director~~ board has received a sealed 2626  
identification envelope purporting to contain that elector's 2627

voted uniformed services or overseas absent voter's ballots for 2628  
that election to the signature on the elector's registration 2629  
form. Except as otherwise provided in division (C) (3) of this 2630  
section, if the board of elections determines that the uniformed 2631  
services or overseas absent voter's ballot in the sealed 2632  
identification envelope is valid, it shall be counted. If the 2633  
board of elections determines that the signature on the sealed 2634  
identification envelope purporting to contain the elector's 2635  
voted uniformed services or overseas absent voter's ballot does 2636  
not match the signature on the elector's registration form, the 2637  
ballot shall be set aside and the board shall examine, during 2638  
the time prior to the beginning of the official canvass, the 2639  
poll list or signature pollbook from the precinct in which the 2640  
elector is registered to vote to determine if the elector also 2641  
cast a provisional ballot under section 3505.181 of the Revised 2642  
Code in that precinct on the day of the election. 2643

(2) The board of elections shall count the provisional 2644  
ballot, instead of the uniformed services or overseas absent 2645  
voter's ballot, of an elector from whom the ~~director~~ board has 2646  
received an identification envelope purporting to contain that 2647  
elector's voted uniformed services or overseas absent voter's 2648  
ballots, if both of the following apply: 2649

(a) The board of elections determines that the signature 2650  
of the elector on the outside of the identification envelope in 2651  
which the uniformed services or overseas absent voter's ballots 2652  
are enclosed does not match the signature of the elector on the 2653  
elector's registration form; 2654

(b) The elector cast a provisional ballot in the precinct 2655  
on the day of the election. 2656

(3) If the board of elections does not receive the sealed 2657

identification envelope purporting to contain the elector's 2658  
voted uniformed services or overseas absent voter's ballot by 2659  
the applicable deadline established under section 3511.11 of the 2660  
Revised Code, the provisional ballot cast under section 3505.181 2661  
of the Revised Code in that precinct on the day of the election 2662  
shall be counted as valid, if that provisional ballot is 2663  
otherwise determined to be valid pursuant to section 3505.183 of 2664  
the Revised Code. 2665

(D) If the board of elections counts a provisional ballot 2666  
under division (C) (2) or (3) of this section, the returned 2667  
identification envelope of that elector shall not be opened, and 2668  
the ballot within that envelope shall not be counted. The 2669  
identification envelope shall be endorsed "Not Counted" with the 2670  
reason the ballot was not counted. 2671

**Sec. 3513.301.** (A) Notwithstanding section 3513.30 of the 2672  
Revised Code and except as otherwise provided in division (B) (2) 2673  
of this section, if only one person has filed a valid 2674  
declaration of candidacy for nomination as the candidate of a 2675  
political party for the office of representative to congress and 2676  
that person withdraws as a candidate or dies at any time before 2677  
the primary election, a special election shall be held under 2678  
division (B) (1) of this section as soon as reasonably 2679  
practicable to nominate the following: 2680

(1) That party's candidate for congress; 2681

(2) The candidate for congress of any other major 2682  
political party under either of the following circumstances: 2683

(a) No person has filed a valid declaration of candidacy 2684  
for nomination as that party's candidate at the primary 2685  
election. 2686

(b) Only one person has filed a valid declaration of candidacy for nomination as that party's candidate at the primary election, that person has withdrawn or died, and the vacancy so created has not been filled.

(B) (1) Except as otherwise provided in division (B) (2) of this section, the boards of elections of all the counties contained in whole or in part within the congressional district for which a special election is being held under this section shall conduct the special election on a date designated by the secretary of state and give notice of the time and places of holding the election as provided in section 3501.03 of the Revised Code. The election shall be held and conducted and returns of it made as in the case of a primary election, except that the secretary of state shall designate the deadline to file a declaration of candidacy or a declaration of intent to be a write-in candidate for the election.

(2) If, for each nomination to be made at the special election to be held under division (B) (1) of this section, only one person has filed a valid declaration of candidacy or no person has filed a valid declaration of candidacy, then no special election shall be held. If no special election is held, then for each nomination for which only one person has filed a valid declaration of candidacy, the secretary of state, upon receiving certification of that fact from the board of elections of the most populous county of the congressional district, shall issue a certificate of nomination to the person and the person's name shall appear on the ballot as that party's candidate at the general election.

(C) The Except as otherwise provided in section 3521.031 of the Revised Code, the state shall pay all costs of any

special election held under this section. 2717

**Sec. 3513.312.** (A) Notwithstanding section 3513.31 of the 2718  
Revised Code, if a person nominated in a primary election or 2719  
nominated by petition under section 3517.012 of the Revised Code 2720  
as a party candidate for the office of representative to 2721  
congress for election at the next general election withdraws as 2722  
such candidate prior to the ninetieth day before the day of such 2723  
general election, or dies prior to the ninetieth day before the 2724  
day of such general election, the vacancy in the party 2725  
nomination so created shall be filled in accordance with 2726  
division (B) of this section as soon as reasonably practicable. 2727

(B) (1) Except as otherwise provided in division (B) (2) of 2728  
this section, the boards of elections of all the counties 2729  
contained in whole or in part within the congressional district 2730  
in which a vacancy occurs as described in division (A) of this 2731  
section shall conduct the special election on a date designated 2732  
by the secretary of state and give notice of the time and places 2733  
of holding such election as provided in section 3501.03 of the 2734  
Revised Code. Such election shall be held and conducted and 2735  
returns thereof made as in the case of a primary election, 2736  
except that the secretary of state shall designate the deadline 2737  
to file a declaration of candidacy or a declaration of intent to 2738  
be a write-in candidate for the election. 2739

(2) If only one person has filed a valid declaration of 2740  
candidacy for the special election to be held under division (B) 2741  
(1) of this section, or if no person has filed a valid 2742  
declaration of candidacy, then no special election shall be 2743  
held. If one person has filed a valid declaration of candidacy, 2744  
the secretary of state, upon receiving certification of that 2745  
fact from the board of elections of the most populous county of 2746

the congressional district, shall issue a certificate of 2747  
nomination to the person and the person's name shall appear on 2748  
the ballot as that party's candidate at the general election. 2749

(C) ~~The Except as otherwise provided in section 3521.031~~ 2750  
~~of the Revised Code, the~~ state shall pay all costs of any 2751  
special election held pursuant to this section. 2752

**Sec. 3521.03.** When a vacancy in the office of 2753  
representative to congress occurs, the governor, upon 2754  
satisfactory information thereof, shall issue a writ of election 2755  
directing that a special election be held to fill such vacancy 2756  
in the territory entitled to fill it on a day specified in the 2757  
writ. Such writ shall be directed to the board of elections 2758  
within such territory which shall give notice of the time and 2759  
places of holding such election as provided in section 3501.03 2760  
of the Revised Code. Such election shall be held and conducted 2761  
and returns thereof made as in case of a regular state election. 2762  
~~The Except as otherwise provided in section 3521.031 of the~~ 2763  
~~Revised Code, the~~ state shall pay all costs of any special 2764  
election held under this section. 2765

**Sec. 3521.031.** (A) If a special election is held under 2766  
section 3513.301, 3513.312, or 3521.03 of the Revised Code on 2767  
the first Tuesday after the first Monday in August, a political 2768  
subdivision or taxing authority, the territory of which is 2769  
located entirely within the applicable congressional district, 2770  
may also hold a special election on that day for an office, 2771  
question, or issue, so long as the applicable deadlines 2772  
described in division (B) of this section are met. This section 2773  
does not apply to an office, question, or issue that the Revised 2774  
Code does not allow to be placed on the ballot by a political 2775  
subdivision or taxing authority at a special election held on 2776

the first Tuesday after the first Monday in August. 2777

(B) The deadlines applicable to a special election held by 2778  
a political subdivision or taxing authority under division (A) 2779  
of this section shall be the same as the deadlines specified to 2780  
place the office, question, or issue on the ballot on the day of 2781  
a primary or general election. 2782

(C) If one or more political subdivisions or taxing 2783  
authorities place an office, question, or issue on the ballot 2784  
under division (A) of this section, the entire cost of the 2785  
special election shall be divided proportionally between the 2786  
state and each political subdivision or taxing authority based 2787  
upon a ratio determined by the number of offices, questions, or 2788  
issues placed on the ballot in each precinct by the state and 2789  
each political subdivision or taxing authority. 2790

**Sec. 3599.21.** (A) No person shall knowingly do any of the 2791  
following: 2792

(1) Impersonate another, or make a false representation in 2793  
order to obtain an absent voter's ballot; 2794

(2) Aid or abet a person to vote an absent voter's ballot 2795  
illegally; 2796

(3) If the person is an election official, open, destroy, 2797  
steal, mark, or mutilate any absent voter's ballot; 2798

(4) Aid or abet another person to open, destroy, steal, 2799  
mark, or mutilate any absent voter's ballot after the ballot has 2800  
been voted; 2801

(5) Delay the delivery of any absent voter's ballot with a 2802  
view to preventing its arrival in time to be counted; 2803

(6) Hinder or attempt to hinder the delivery or counting 2804



of such absent voter's ballot; 2805

(7) Fail to forward to the appropriate election official 2806  
an absent voter's ballot application entrusted to that person to 2807  
so forward; 2808

(8) Fail to forward to the appropriate election official 2809  
an absent voter's ballot application entrusted to that person to 2810  
so forward within ten days after that application is completed 2811  
or within such a time period that the failure to so forward the 2812  
application disenfranchises the voter with respect to a 2813  
particular election, whichever is earlier; 2814

(9) Return the absent voter's ballot of another to the 2815  
office of a board of elections, unless either of the following 2816  
apply: 2817

(a) The person is a relative who is authorized to do so 2818  
under division (C) (1) of section 3509.05 of the Revised Code; 2819

(b) The person is acting as an employee or contractor of 2820  
the United States postal service or a private carrier. 2821

(10) Except as authorized under Chapters 3509. and 3511. 2822  
of the Revised Code, possess the absent voter's ballot of 2823  
another. 2824

(B) (1) Subject to division (B) (2) of this section, no 2825  
person who receives compensation for soliciting persons to apply 2826  
to vote by absent voter's ballots shall fail to forward to the 2827  
appropriate election official an absent voter's ballot 2828  
application entrusted to that person to so forward within ten 2829  
days after that application is completed. 2830

(2) No person who receives compensation for soliciting 2831  
persons to apply to vote by absent voter's ballots shall fail to 2832

forward to the appropriate election official an absent voter's 2833  
ballot application entrusted to that person to so forward within 2834  
such a time period that the failure to so forward the 2835  
application disenfranchises the voter with respect to a 2836  
particular election. 2837

(C) Whoever violates division (A) or (B) of this section 2838  
is guilty of a felony of the fourth degree. 2839

(D) As used in this section, "person who receives 2840  
compensation for soliciting persons to apply to vote by absent 2841  
voter's ballots" includes any effort, for compensation, to 2842  
provide absent voter's ballot applications or to assist persons 2843  
in completing those applications or returning them to the 2844  
director of the board of elections of the county in which the 2845  
applicant's voting residence is located. 2846

**Sec. 4506.11.** (A) Every commercial driver's license shall 2847  
be marked "commercial driver's license" or "CDL" and shall be of 2848  
such material and so designed as to prevent its reproduction or 2849  
alteration without ready detection. The commercial driver's 2850  
license for licensees under twenty-one years of age shall have 2851  
characteristics prescribed by the registrar of motor vehicles 2852  
distinguishing it from that issued to a licensee who is twenty- 2853  
one years of age or older. Every commercial driver's license 2854  
shall display all of the following information: 2855

(1) The name and residence address of the licensee; 2856

(2) A color photograph of the licensee showing the 2857  
licensee's uncovered face; 2858

(3) A physical description of the licensee, including sex, 2859  
height, weight, and color of eyes and hair; 2860

(4) The licensee's date of birth; 2861

- (5) The licensee's social security number if the person 2862  
has requested that the number be displayed in accordance with 2863  
section 4501.31 of the Revised Code or if federal law requires 2864  
the social security number to be displayed and any number or 2865  
other identifier the director of public safety considers 2866  
appropriate and establishes by rules adopted under Chapter 119. 2867  
of the Revised Code and in compliance with federal law; 2868
- (6) The licensee's signature; 2869
- (7) The classes of commercial motor vehicles the licensee 2870  
is authorized to drive and any endorsements or restrictions 2871  
relating to the licensee's driving of those vehicles; 2872
- (8) The name of this state; 2873
- (9) The dates of issuance and of expiration of the 2874  
license; 2875
- (10) If the licensee has certified willingness to make an 2876  
anatomical gift under section 2108.05 of the Revised Code, any 2877  
symbol chosen by the registrar of motor vehicles to indicate 2878  
that the licensee has certified that willingness; 2879
- (11) If the licensee has executed a durable power of 2880  
attorney for health care or a declaration governing the use or 2881  
continuation, or the withholding or withdrawal, of life- 2882  
sustaining treatment and has specified that the licensee wishes 2883  
the license to indicate that the licensee has executed either 2884  
type of instrument, any symbol chosen by the registrar to 2885  
indicate that the licensee has executed either type of 2886  
instrument; 2887
- (12) On and after October 7, 2009, if the licensee has 2888  
specified that the licensee wishes the license to indicate that 2889  
the licensee is a veteran, active duty, or reservist of the 2890

armed forces of the United States and has presented a copy of 2891  
the licensee's DD-214 form or an equivalent document, any symbol 2892  
chosen by the registrar to indicate that the licensee is a 2893  
veteran, active duty, or reservist of the armed forces of the 2894  
United States; 2895

(13) If the licensee is a noncitizen of the United States, 2896  
a notation designating that the licensee is a noncitizen; 2897

(14) Any other information the registrar considers 2898  
advisable and requires by rule. 2899

(B) The registrar may establish and maintain a file of 2900  
negatives of photographs taken for the purposes of this section. 2901

(C) Neither the registrar nor any deputy registrar shall 2902  
issue a commercial driver's license to anyone under twenty-one 2903  
years of age that does not have the characteristics prescribed 2904  
by the registrar distinguishing it from the commercial driver's 2905  
license issued to persons who are twenty-one years of age or 2906  
older. 2907

(D) Whoever violates division (C) of this section is 2908  
guilty of a minor misdemeanor. 2909

**Sec. 4507.13.** (A) (1) The registrar of motor vehicles shall 2910  
issue a driver's license to every person licensed as an operator 2911  
of motor vehicles other than commercial motor vehicles. No 2912  
person licensed as a commercial motor vehicle driver under 2913  
Chapter 4506. of the Revised Code need procure a driver's 2914  
license, but no person shall drive any commercial motor vehicle 2915  
unless licensed as a commercial motor vehicle driver. 2916

(2) Every driver's license shall display all of the 2917  
following information: 2918

(a) The distinguishing number assigned to the licensee.	2919
(b) The licensee's name and date of birth;	2920
(c) The licensee's residence address and county of residence;	2921 2922
(d) A color photograph of the licensee;	2923
(e) A brief description of the licensee for the purpose of identification;	2924 2925
(f) A facsimile of the signature of the licensee as it appears on the application for the license;	2926 2927
(g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D) (3) of section 4507.08 of the Revised Code to which the licensee is subject;	2928 2929 2930
(h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;	2931 2932 2933 2934 2935 2936 2937 2938
(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;	2939 2940 2941 2942 2943 2944 2945
(j) <u>If the licensee is a noncitizen of the United States,</u>	2946

a notation designating that the licensee is a noncitizen; 2947

(k) Any additional information that the registrar requires 2948  
by rule. 2949

(3) No license shall display the licensee's social 2950  
security number unless the licensee specifically requests that 2951  
the licensee's social security number be displayed on the 2952  
license. If federal law requires the licensee's social security 2953  
number to be displayed on the license, the social security 2954  
number shall be displayed on the license notwithstanding this 2955  
section. 2956

(4) The driver's license for licensees under twenty-one 2957  
years of age shall have characteristics prescribed by the 2958  
registrar distinguishing it from that issued to a licensee who 2959  
is twenty-one years of age or older, except that a driver's 2960  
license issued to a person who applies no more than thirty days 2961  
before the applicant's twenty-first birthday shall have the 2962  
characteristics of a license issued to a person who is twenty- 2963  
one years of age or older. 2964

(5) The driver's license issued to a temporary resident 2965  
shall contain the word "nonrenewable" and shall have any 2966  
additional characteristics prescribed by the registrar 2967  
distinguishing it from a license issued to a resident. 2968

(6) Every driver's or commercial driver's license 2969  
displaying a motorcycle operator's endorsement and every 2970  
restricted license to operate a motor vehicle also shall display 2971  
the designation "novice," if the endorsement or license is 2972  
issued to a person who is eighteen years of age or older and 2973  
previously has not been licensed to operate a motorcycle by this 2974  
state or another jurisdiction recognized by this state. The 2975

"novice" designation shall be effective for one year after the 2976  
date of issuance of the motorcycle operator's endorsement or 2977  
license. 2978

(7) Each license issued under this section shall be of 2979  
such material and so designed as to prevent its reproduction or 2980  
alteration without ready detection. 2981

(B) Except in regard to a driver's license issued to a 2982  
person who applies no more than thirty days before the 2983  
applicant's twenty-first birthday, neither the registrar nor any 2984  
deputy registrar shall issue a driver's license to anyone under 2985  
twenty-one years of age that does not have the characteristics 2986  
prescribed by the registrar distinguishing it from the driver's 2987  
license issued to persons who are twenty-one years of age or 2988  
older. 2989

(C) Whoever violates division (B) of this section is 2990  
guilty of a minor misdemeanor. 2991

Sec. 4507.233. (A) Notwithstanding sections 4506.08, 2992  
4507.23, 4507.24, 4507.50, and 4507.52 of the Revised Code, a 2993  
person may apply for and obtain a replacement commercial 2994  
driver's license, driver's license, or identification card 2995  
without paying any fee, if all of the following apply: 2996

(1) The license or card is valid and its expiration date 2997  
is not within ninety days of the date for renewal. 2998

(2) The license or card indicates the licensee or 2999  
cardholder was a noncitizen. 3000

(3) At the time of application, the applicant is a United 3001  
States citizen. 3002

(B) The applicant shall include any documentary evidence 3003

of United States citizenship with an application made under 3004  
division (A) of this section as the registrar of motor vehicles 3005  
may require by rule. 3006

(C) A replacement commercial driver's license, driver's 3007  
license, or identification card issued under this section shall 3008  
be identical to the license or card replaced, except that it 3009  
shall no longer indicate that the licensee or cardholder is a 3010  
noncitizen. 3011

(D) The registrar shall adopt rules in accordance with 3012  
Chapter 119. of the Revised Code for purposes of implementing 3013  
and administering this section. 3014

**Sec. 4507.51.** (A) (1) Every application for an 3015  
identification card or duplicate shall be made on a form 3016  
furnished or in a manner specified by the registrar of motor 3017  
vehicles, shall be signed by the applicant, and by the 3018  
applicant's parent or guardian if the applicant is under 3019  
eighteen years of age, and shall contain the following 3020  
information pertaining to the applicant: name, date of birth, 3021  
sex, general description including the applicant's height, 3022  
weight, hair color, and eye color, address, country of 3023  
citizenship, and social security number. The application also 3024  
shall include, for an applicant who has not already certified 3025  
the applicant's willingness to make an anatomical gift under 3026  
section 2108.05 of the Revised Code, whether the applicant 3027  
wishes to certify willingness to make such an anatomical gift 3028  
and shall include information about the requirements of sections 3029  
2108.01 to 2108.29 of the Revised Code that apply to persons who 3030  
are less than eighteen years of age. The statement regarding 3031  
willingness to make such a donation shall be given no 3032  
consideration in the decision of whether to issue an 3033



identification card. Each applicant applying in person at a 3034  
deputy registrar office shall be photographed in color at the 3035  
time of making application. 3036

(2) (a) The application also shall state whether the 3037  
applicant has executed a valid durable power of attorney for 3038  
health care pursuant to sections 1337.11 to 1337.17 of the 3039  
Revised Code or has executed a declaration governing the use or 3040  
continuation, or the withholding or withdrawal, of life- 3041  
sustaining treatment pursuant to sections 2133.01 to 2133.15 of 3042  
the Revised Code and, if the applicant has executed either type 3043  
of instrument, whether the applicant wishes the identification 3044  
card issued to indicate that the applicant has executed the 3045  
instrument. 3046

(b) The application also shall state whether the applicant 3047  
is a veteran, active duty, or reservist of the armed forces of 3048  
the United States and, if the applicant is such, whether the 3049  
applicant wishes the identification card issued to indicate that 3050  
the applicant is a veteran, active duty, or reservist of the 3051  
armed forces of the United States by a military designation on 3052  
the identification card. 3053

(3) The registrar or deputy registrar, in accordance with 3054  
section 3503.11 of the Revised Code, shall register as an 3055  
elector any person who applies for an identification card or 3056  
duplicate if the applicant is eligible and wishes to be 3057  
registered as an elector. The decision of an applicant whether 3058  
to register as an elector shall be given no consideration in the 3059  
decision of whether to issue the applicant an identification 3060  
card or duplicate. 3061

(B) Except as provided in section 4507.061 of the Revised 3062  
Code, the application for an identification card or duplicate 3063

shall be filed in the office of the registrar or deputy 3064  
registrar. Each applicant shall present documentary evidence as 3065  
required by the registrar of the applicant's age and identity, 3066  
and the applicant shall swear that all information given is 3067  
true. An identification card issued by the department of 3068  
rehabilitation and correction under section 5120.59 of the 3069  
Revised Code or an identification card issued by the department 3070  
of youth services under section 5139.511 of the Revised Code 3071  
shall be sufficient documentary evidence under this division 3072  
upon verification of the applicant's social security number by 3073  
the registrar or a deputy registrar. Upon issuing an 3074  
identification card under this section for a person who has been 3075  
issued an identification card under section 5120.59 or section 3076  
5139.511 of the Revised Code, the registrar or deputy registrar 3077  
shall destroy the identification card issued under section 3078  
5120.59 or section 5139.511 of the Revised Code. 3079

All applications for an identification card or duplicate 3080  
under this section shall be filed in duplicate, and if submitted 3081  
to a deputy registrar, a copy shall be forwarded to the 3082  
registrar. The registrar shall prescribe rules for the manner in 3083  
which a deputy registrar is to file and maintain applications 3084  
and other records. The registrar shall maintain a suitable, 3085  
indexed record of all applications denied and cards issued or 3086  
canceled. 3087

(C) In addition to any other information it contains, the 3088  
form furnished by the registrar of motor vehicles for an 3089  
application for an identification card or duplicate shall inform 3090  
applicants that the applicant must present a copy of the 3091  
applicant's DD-214 or an equivalent document in order to qualify 3092  
to have the card or duplicate indicate that the applicant is an 3093  
honorably discharged veteran of the armed forces of the United 3094

States based on a request made pursuant to division (A) (2) (b) of 3095  
this section. 3096

**Sec. 4507.52.** (A) (1) Each identification card issued by 3097  
the registrar of motor vehicles or a deputy registrar shall 3098  
display a distinguishing number assigned to the cardholder, and 3099  
shall display the following inscription: 3100

"STATE OF OHIO IDENTIFICATION CARD 3101

This card is not valid for the purpose of operating a 3102  
motor vehicle. It is provided solely for the purpose of 3103  
establishing the identity of the bearer described on the card, 3104  
who currently is not licensed to operate a motor vehicle in the 3105  
state of Ohio." 3106

(2) The identification card shall display substantially 3107  
the same information as contained in the application and as 3108  
described in division (A) (1) of section 4507.51 of the Revised 3109  
Code, ~~but including, if the cardholder is a noncitizen of the~~ 3110  
United States, a notation designating that the cardholder is a 3111  
noncitizen. The identification card shall not display the 3112  
cardholder's social security number unless the cardholder 3113  
specifically requests that the cardholder's social security 3114  
number be displayed on the card. If federal law requires the 3115  
cardholder's social security number to be displayed on the 3116  
identification card, the social security number shall be 3117  
displayed on the card notwithstanding this section. 3118

(3) The identification card also shall display the color 3119  
photograph of the cardholder. 3120

(4) If the cardholder has executed a durable power of 3121  
attorney for health care or a declaration governing the use or 3122  
continuation, or the withholding or withdrawal, of life- 3123

sustaining treatment and has specified that the cardholder 3124  
wishes the identification card to indicate that the cardholder 3125  
has executed either type of instrument, the card also shall 3126  
display any symbol chosen by the registrar to indicate that the 3127  
cardholder has executed either type of instrument. 3128

(5) If the cardholder has specified that the cardholder 3129  
wishes the identification card to indicate that the cardholder 3130  
is a veteran, active duty, or reservist of the armed forces of 3131  
the United States and has presented a copy of the cardholder's 3132  
DD-214 form or an equivalent document, the card also shall 3133  
display any symbol chosen by the registrar to indicate that the 3134  
cardholder is a veteran, active duty, or reservist of the armed 3135  
forces of the United States. 3136

(6) The card shall be designed as to prevent its 3137  
reproduction or alteration without ready detection. 3138

(7) The identification card for persons under twenty-one 3139  
years of age shall have characteristics prescribed by the 3140  
registrar distinguishing it from that issued to a person who is 3141  
twenty-one years of age or older, except that an identification 3142  
card issued to a person who applies no more than thirty days 3143  
before the applicant's twenty-first birthday shall have the 3144  
characteristics of an identification card issued to a person who 3145  
is twenty-one years of age or older. 3146

(8) (a) Except as provided in division (A) (8) (b) of this 3147  
section, every identification card issued to a resident of this 3148  
state shall expire, unless canceled or surrendered earlier, on 3149  
the birthday of the cardholder in the fourth or the eighth year 3150  
after the date on which it is issued, based on the period of 3151  
renewal requested by the applicant. 3152

(b) Upon request, the registrar or a deputy registrar 3153  
shall issue an identification card to a resident of this state 3154  
who is permanently or irreversibly disabled that shall expire, 3155  
unless canceled or surrendered earlier, on the birthday of the 3156  
cardholder in the eighth year after the date on which it is 3157  
issued. The registrar shall issue a reminder notice to a 3158  
cardholder, at the last known address of the cardholder, six 3159  
months before the identification card is scheduled to expire. 3160  
The registrar shall adopt rules governing the documentation a 3161  
cardholder shall submit to certify that the cardholder is 3162  
permanently or irreversibly disabled. 3163

As used in this section, "permanently or irreversibly 3164  
disabled" means a condition of disability from which there is no 3165  
present indication of recovery. 3166

(c) Every identification card issued to a temporary 3167  
resident shall expire in accordance with rules adopted by the 3168  
registrar and is nonrenewable, but may be replaced with a new 3169  
identification card upon the applicant's compliance with all 3170  
applicable requirements. 3171

(9) A cardholder may renew the cardholder's identification 3172  
card within ninety days prior to the day on which it expires by 3173  
filing an application and paying the prescribed fee in 3174  
accordance with section 4507.50 of the Revised Code. 3175

(10) If a cardholder applies for a driver's or commercial 3176  
driver's license in this state or another licensing 3177  
jurisdiction, the cardholder shall surrender the cardholder's 3178  
identification card to the registrar or any deputy registrar 3179  
before the license is issued. 3180

(B) (1) If a card is lost, destroyed, or mutilated, the 3181

person to whom the card was issued may obtain a duplicate by 3182  
doing both of the following: 3183

(a) Furnishing suitable proof of the loss, destruction, or 3184  
mutilation to the registrar or a deputy registrar; 3185

(b) Filing an application and presenting documentary 3186  
evidence under section 4507.51 of the Revised Code. 3187

(2) A cardholder may apply to obtain a reprint of the 3188  
cardholder's identification card through electronic means in 3189  
accordance with section 4507.40 of the Revised Code. 3190

(3) Any person who loses a card and, after obtaining a 3191  
duplicate or reprint, finds the original, immediately shall 3192  
surrender the original to the registrar or a deputy registrar. 3193

(4) A cardholder may obtain a replacement identification 3194  
card that reflects any change of the cardholder's name by 3195  
furnishing suitable proof of the change to the registrar or a 3196  
deputy registrar and surrendering the cardholder's existing 3197  
card. 3198

(5) (a) When a cardholder applies for a duplicate or 3199  
reprint or obtains a replacement identification card, the 3200  
cardholder shall pay a fee of two dollars and fifty cents. A 3201  
deputy registrar shall be allowed an additional fee equal to the 3202  
amount established under section 4503.038 of the Revised Code 3203  
for issuing a duplicate or replacement identification card. 3204

(b) A disabled veteran who is a cardholder and has a 3205  
service-connected disability rated at one hundred per cent by 3206  
the veterans' administration may apply to the registrar or a 3207  
deputy registrar for the issuance of a duplicate or replacement 3208  
identification card without payment of any fee prescribed in 3209  
this section or may apply to the registrar for a reprint 3210

identification card without payment of any fee prescribed in 3211  
this section. 3212

(c) A resident who is permanently or irreversibly disabled 3213  
and who is unemployed may apply to the registrar or a deputy 3214  
registrar for the issuance of a duplicate or replacement 3215  
identification card without payment of any fee prescribed in 3216  
this section or may apply to the registrar for a reprint 3217  
identification card without payment of any fee prescribed in 3218  
this section. 3219

(6) A duplicate, reprint, or replacement identification 3220  
card expires on the same date as the card it replaces. 3221

(C) The registrar shall cancel any card upon determining 3222  
that the card was obtained unlawfully, issued in error, or was 3223  
altered. The registrar also shall cancel any card that is 3224  
surrendered to the registrar or to a deputy registrar after the 3225  
holder has obtained a duplicate, reprint, replacement, or 3226  
driver's or commercial driver's license. 3227

(D) (1) No agent of the state or its political subdivisions 3228  
shall condition the granting of any benefit, service, right, or 3229  
privilege upon the possession by any person of an identification 3230  
card. Nothing in this section shall preclude any publicly 3231  
operated or franchised transit system from using an 3232  
identification card for the purpose of granting benefits or 3233  
services of the system. 3234

(2) No person shall be required to apply for, carry, or 3235  
possess an identification card. 3236

(E) Except in regard to an identification card issued to a 3237  
person who applies no more than thirty days before the 3238  
applicant's twenty-first birthday, neither the registrar nor any 3239

deputy registrar shall issue an identification card to a person 3240  
under twenty-one years of age that does not have the 3241  
characteristics prescribed by the registrar distinguishing it 3242  
from the identification card issued to persons who are twenty- 3243  
one years of age or older. 3244

(F) Whoever violates division (E) of this section is 3245  
guilty of a minor misdemeanor. 3246

**Section 2.** That existing sections 302.03, 323.17, 3501.01, 3247  
3501.05, 3501.11, 3501.22, 3503.16, 3505.13, 3505.14, 3506.14, 3248  
3509.01, 3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.08, 3249  
3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3250  
3511.09, 3511.10, 3511.11, 3511.13, 3513.301, 3513.312, 3521.03, 3251  
3599.21, 4506.11, 4507.13, 4507.51, and 4507.52 of the Revised 3252  
Code are hereby repealed. 3253

**Section 3.** The Secretary of State shall implement the 3254  
online absent voter's ballot application system created under 3255  
section 3509.031 of the Revised Code, as enacted by this act, 3256  
not later than one year after this section takes effect. 3257

**Section 4.** All items in this act are hereby appropriated 3258  
as designated out of any moneys in the state treasury to the 3259  
credit of the designated fund. For all operating appropriations 3260  
made in this act, those in the first column are for fiscal year 3261  
2022 and those in the second column are for fiscal year 2023. 3262  
The operating appropriations made in this act are in addition to 3263  
any other operating appropriations made for the FY 2022-FY 2023 3264  
biennium and FY 2024-FY 2025 biennium. 3265

3266



A	DAS DEPARTMENT OF ADMINISTRATIVE SERVICES			
B	Dedicated Purpose Fund Group			
C	5CV3	100668	Electronic Pollbooks	\$0 \$7,500,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$0 \$7,500,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0 \$7,500,000

ELECTRONIC POLLBOOKS 3267

The foregoing appropriation item 100668, Electronic 3268  
Pollbooks, shall be used by the Office of Procurement Services 3269  
within the Department of Administrative Services to pay eighty- 3270  
five per cent of the calculated allocation cost of acquiring 3271  
electronic pollbooks, as defined in section 3506.05 of the 3272  
Revised Code, and ancillary equipment, for county boards of 3273  
elections in accordance with this section. 3274

The Director of Administrative Services, in consultation 3275  
with the Secretary of State, shall calculate the portion of 3276  
appropriation item 100668, Electronic Pollbooks, to be allocated 3277  
to each county board of elections in proportion to the number of 3278  
registered voters in each county as recorded in the statewide 3279  
voter registration database as of July 1, 2022. The Office of 3280  
Procurement Services shall use the funding allocated to each 3281  
county board of elections for the purchase of electronic 3282  
pollbooks and ancillary equipment as follows: 3283

(A) For electronic pollbooks and ancillary equipment to be 3284  
purchased after the effective date of this section, upon request 3285  
by a county board of elections, the Secretary of State shall 3286  
provide a list of the vendors and electronic pollbooks certified 3287

in accordance with section 3506.05 of the Revised Code. The 3288  
board of elections shall select electronic pollbooks from this 3289  
list and notify the Office of Procurement Services of its 3290  
selection. The Office shall purchase the selected electronic 3291  
pollbooks and any other necessary equipment on behalf of the 3292  
board of elections and shall transfer those pollbooks and 3293  
equipment to the board. The board of elections shall enter into 3294  
a memorandum of understanding with the applicable board of 3295  
county commissioners and the Department of Administrative 3296  
Services concerning those purchases. The board of elections 3297  
shall be responsible for fifteen per cent of the purchase costs 3298  
of those pollbooks and ancillary equipment as determined by the 3299  
Director of Administrative Services and Secretary of State under 3300  
this section. 3301

(B) If, prior to the effective date of this section and 3302  
after the date of December 31, 2019, a board of elections 3303  
purchased electronic pollbooks or ancillary equipment, the 3304  
Office of Procurement Services shall reimburse the board of 3305  
elections for eighty-five per cent of that purchase up to the 3306  
amount of the allocation as determined by the Director of 3307  
Administrative Services and Secretary of State under this 3308  
section. Reimbursement shall be paid to the county general fund. 3309

An amount equal to the unexpended, unencumbered portion 3310  
remaining of the appropriation item 100668, Electronic 3311  
Pollbooks, is hereby reappropriated for the same purpose in 3312  
fiscal year 2024. 3313

**Section 5.** Within the limits set forth in this act, the 3314  
Director of Budget and Management shall establish accounts 3315  
indicating the source and amount of funds for each appropriation 3316  
made in this act, and shall determine the form and manner in 3317

which appropriation accounts shall be maintained. Expenditures 3318  
from operating appropriations contained in this act shall be 3319  
accounted for as though made in H.B. 110 of the 134th General 3320  
Assembly. The operating appropriations made in this act are 3321  
subject to all provisions of H.B. 110 of the 134th General 3322  
Assembly that are generally applicable to such appropriations. 3323

**Section 6.** Section 3511.10 of the Revised Code is 3324  
presented in this act as a composite of the section as amended 3325  
by both S.B. 205 and S.B. 238 of the 130th General Assembly. The 3326  
General Assembly, applying the principle stated in division (B) 3327  
of section 1.52 of the Revised Code that amendments are to be 3328  
harmonized if reasonably capable of simultaneous operation, 3329  
finds that the composite is the resulting version of the section 3330  
in effect prior to the effective date of the section as 3331  
presented in this act. 3332