

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 387

Representative Dean

**Cosponsors: Representatives Wiggam, Grendell, Stoltzfus, Gross, Brinkman,
Ferguson**

A BILL

To amend sections 3501.01, 3501.05, 3501.11, 1
3501.22, 3503.10, 3503.11, 3503.14, 3503.16, 2
3503.19, 3503.20, 3503.28, 3505.08, 3505.18, 3
3505.181, 3505.182, 3505.183, 3506.05, 3506.07, 4
3506.10, 3506.14, 3506.21, 3506.23, 3509.01, 5
3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 6
3509.06, 3509.07, 3509.08, 3509.09, 3509.10, 7
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 8
3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 9
3599.27, 4507.50, 4507.501, 4507.51, and 10
4507.52; to enact sections 3506.17, 3509.031, 11
4507.41, and 4507.502; and to repeal section 12
111.31 of the Revised Code to make changes to 13
the Election Law. 14

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

Section 1. That sections 3501.01, 3501.05, 3501.11, 15
3501.22, 3503.10, 3503.11, 3503.14, 3503.16, 3503.19, 3503.20, 16
3503.28, 3505.08, 3505.18, 3505.181, 3505.182, 3505.183, 17
3506.05, 3506.07, 3506.10, 3506.14, 3506.21, 3506.23, 3509.01, 18

3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.07, 19
3509.08, 3509.09, 3509.10, 3511.02, 3511.04, 3511.05, 3511.06, 20
3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 3599.27, 21
4507.50, 4507.501, 4507.51, and 4507.52 be amended and sections 22
3506.17, 3509.031, 4507.41, and 4507.502 of the Revised Code be 23
enacted to read as follows: 24

Sec. 3501.01. As used in the sections of the Revised Code 25
relating to elections and political communications: 26

(A) "General election" means the election held on the 27
first Tuesday after the first Monday in each November. 28

(B) "Regular municipal election" means the election held 29
on the first Tuesday after the first Monday in November in each 30
odd-numbered year. 31

(C) "Regular state election" means the election held on 32
the first Tuesday after the first Monday in November in each 33
even-numbered year. 34

(D) "Special election" means any election other than those 35
elections defined in other divisions of this section. A special 36
election may be held only on the first Tuesday after the first 37
Monday in May, August, or November, or on the day authorized by 38
a particular municipal or county charter for the holding of a 39
primary election, except that in any year in which a 40
presidential primary election is held, no special election shall 41
be held in May, except as authorized by a municipal or county 42
charter, but may be held on the third Tuesday after the first 43
Monday in March. 44

(E) (1) "Primary" or "primary election" means an election 45
held for the purpose of nominating persons as candidates of 46
political parties for election to offices, and for the purpose 47

of electing persons as members of the controlling committees of 48
political parties and as delegates and alternates to the 49
conventions of political parties. Primary elections shall be 50
held on the first Tuesday after the first Monday in May of each 51
year except in years in which a presidential primary election is 52
held. 53

(2) "Presidential primary election" means a primary 54
election as defined by division (E) (1) of this section at which 55
an election is held for the purpose of choosing delegates and 56
alternates to the national conventions of the major political 57
parties pursuant to section 3513.12 of the Revised Code. Unless 58
otherwise specified, presidential primary elections are included 59
in references to primary elections. In years in which a 60
presidential primary election is held, all primary elections 61
shall be held on the third Tuesday after the first Monday in 62
March except as otherwise authorized by a municipal or county 63
charter. 64

(F) "Political party" means any group of voters meeting 65
the requirements set forth in section 3517.01 of the Revised 66
Code for the formation and existence of a political party. 67

(1) "Major political party" means any political party 68
organized under the laws of this state whose candidate for 69
governor or nominees for presidential electors received not less 70
than twenty per cent of the total vote cast for such office at 71
the most recent regular state election. 72

(2) "Minor political party" means any political party 73
organized under the laws of this state that meets either of the 74
following requirements: 75

(a) Except as otherwise provided in this division, the 76

political party's candidate for governor or nominees for 77
presidential electors received less than twenty per cent but not 78
less than three per cent of the total vote cast for such office 79
at the most recent regular state election. A political party 80
that meets the requirements of this division remains a political 81
party for a period of four years after meeting those 82
requirements. 83

(b) The political party has filed with the secretary of 84
state, subsequent to its failure to meet the requirements of 85
division (F) (2) (a) of this section, a petition that meets the 86
requirements of section 3517.01 of the Revised Code. 87

A newly formed political party shall be known as a minor 88
political party until the time of the first election for 89
governor or president which occurs not less than twelve months 90
subsequent to the formation of such party, after which election 91
the status of such party shall be determined by the vote for the 92
office of governor or president. 93

(G) "Dominant party in a precinct" or "dominant political 94
party in a precinct" means that political party whose candidate 95
for election to the office of governor at the most recent 96
regular state election at which a governor was elected received 97
more votes than any other person received for election to that 98
office in such precinct at such election. 99

(H) "Candidate" means any qualified person certified in 100
accordance with the provisions of the Revised Code for placement 101
on the official ballot of a primary, general, or special 102
election to be held in this state, or any qualified person who 103
claims to be a write-in candidate, or who knowingly assents to 104
being represented as a write-in candidate by another at either a 105
primary, general, or special election to be held in this state. 106

(I) "Independent candidate" means any candidate who claims 107
not to be affiliated with a political party, and whose name has 108
been certified on the office-type ballot at a general or special 109
election through the filing of a statement of candidacy and 110
nominating petition, as prescribed in section 3513.257 of the 111
Revised Code. 112

(J) "Nonpartisan candidate" means any candidate whose name 113
is required, pursuant to section 3505.04 of the Revised Code, to 114
be listed on the nonpartisan ballot, including all candidates 115
for judge of a municipal court, county court, or court of common 116
pleas, for member of any board of education, for municipal or 117
township offices in which primary elections are not held for 118
nominating candidates by political parties, and for offices of 119
municipal corporations having charters that provide for separate 120
ballots for elections for these offices. 121

(K) "Party candidate" means any candidate who claims to be 122
a member of a political party and who has been certified to 123
appear on the office-type ballot at a general or special 124
election as the nominee of a political party because the 125
candidate has won the primary election of the candidate's party 126
for the public office the candidate seeks, has been nominated 127
under section 3517.012, or is selected by party committee in 128
accordance with section 3513.31 of the Revised Code. 129

(L) "Officer of a political party" includes, but is not 130
limited to, any member, elected or appointed, of a controlling 131
committee, whether representing the territory of the state, a 132
district therein, a county, township, a city, a ward, a 133
precinct, or other territory, of a major or minor political 134
party. 135

(M) "Question or issue" means any question or issue 136

certified in accordance with the Revised Code for placement on 137
an official ballot at a general or special election to be held 138
in this state. 139

(N) "Elector" or "qualified elector" means a person having 140
the qualifications provided by law to be entitled to vote. 141

(O) "Voter" means an elector who votes at an election. 142

(P) "Voting residence" means that place of residence of an 143
elector which shall determine the precinct in which the elector 144
may vote. 145

(Q) "Precinct" means a district within a county 146
established by the board of elections of such county within 147
which all qualified electors having a voting residence therein 148
may vote at the same polling place. 149

(R) "Polling place" means that place provided for each 150
precinct at which the electors having a voting residence in such 151
precinct may vote. 152

(S) "Board" or "board of elections" means the board of 153
elections appointed in a county pursuant to section 3501.06 of 154
the Revised Code. 155

(T) "Political subdivision" means a county, township, 156
city, village, or school district. 157

(U) "Election officer" or "election official" means any of 158
the following: 159

(1) Secretary of state; 160

(2) Employees of the secretary of state serving the 161
division of elections in the capacity of attorney, 162
administrative officer, administrative assistant, elections 163

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

and family services, the program administered under section 192
3701.132 of the Revised Code by the department of health, the 193
department of mental health and addiction services, the 194
department of developmental disabilities, the opportunities for 195
Ohioans with disabilities agency, and any other agency the 196
secretary of state designates. "Designated agency" does not 197
include public high schools and vocational schools, public 198
libraries, or the office of a county treasurer. 199

(Y) "National Voter Registration Act of 1993" means the 200
"National Voter Registration Act of 1993," 107 Stat. 77, 42 201
U.S.C.A. 1973gg. 202

(Z) "Voting Rights Act of 1965" means the "Voting Rights 203
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 204

(AA) "Photo identification" means a document that meets 205
each of the following requirements: 206

(1) It ~~shows~~ contains the name of the ~~individual to whom~~ 207
~~it was issued~~ elector, which shall conform to the name in the 208
~~poll list or signature pollbook~~ individual's voter registration 209
record. 210

(2) It ~~shows the current address of the individual to whom~~ 211
~~it was issued, which shall conform to the address in the poll-~~ 212
~~list or signature pollbook, except for a driver's license or a~~ 213
~~state identification card issued under section 4507.50 of the~~ 214
~~Revised Code, which may show either the current or former~~ 215
~~address of the individual to whom it was issued, regardless of~~ 216
~~whether that address conforms to the address in the poll list or~~ 217
~~signature pollbook.~~ 218

~~(3) It shows~~ contains a photograph of the individual to 219
whom it was issued. 220

(4) It includes an expiration date that has not passed.	221
(5) It was issued by the government of the United States	222
or this state	223
<u>(3) It is one of the following documents:</u>	224
<u>(a) An Ohio driver's license or Ohio commercial driver's</u>	225
<u>license issued by the registrar of motor vehicles or deputy</u>	226
<u>registrar under Chapter 4507. of the Revised Code that shows the</u>	227
<u>current or former address of the elector, regardless of whether</u>	228
<u>that address conforms to the address in the individual's voter</u>	229
<u>registration record, and that is not expired;</u>	230
<u>(b) A state identification card issued by the registrar of</u>	231
<u>motor vehicles or deputy registrar under section 4507.50 of the</u>	232
<u>Revised Code that shows the current or former address of the</u>	233
<u>elector, regardless of whether that address conforms to the</u>	234
<u>address in the individual's voter registration record, and that</u>	235
<u>is not expired;</u>	236
<u>(c) An Ohio driver's license or Ohio commercial driver's</u>	237
<u>license issued by the registrar of motor vehicles or deputy</u>	238
<u>registrar under Chapter 4507. of the Revised Code or a state</u>	239
<u>identification card issued by the registrar of motor vehicles or</u>	240
<u>deputy registrar under section 4507.50 of the Revised Code that</u>	241
<u>is expired and a United States military identification card that</u>	242
<u>is not expired.</u>	243
Sec. 3501.05. The secretary of state shall do all of the	244
following:	245
(A) Appoint all members of boards of elections;	246
(B) Issue instructions by directives and advisories in	247
accordance with section 3501.053 of the Revised Code to members	248

of the boards as to the proper methods of conducting elections.	249
(C) Prepare rules and instructions for the conduct of elections;	250 251
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	252 253 254
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	255 256
(F) Prescribe the form of registration cards, blanks, and records;	257 258
(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;	259 260 261 262
(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;	263 264 265
(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;	266 267 268 269 270
(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;	271 272 273 274 275
(K) Receive all initiative and referendum petitions on	276

state questions and issues and determine and certify to the	277
sufficiency of those petitions;	278
(L) Require such reports from the several boards as are	279
provided by law, or as the secretary of state considers	280
necessary;	281
(M) Compel the observance by election officers in the	282
several counties of the requirements of the election laws;	283
(N) (1) Except as otherwise provided in division (N) (2) of	284
this section, investigate the administration of election laws,	285
frauds, and irregularities in elections in any county, and	286
report violations of election laws to the attorney general or	287
prosecuting attorney, or both, for prosecution;	288
(2) On and after August 24, 1995, report a failure to	289
comply with or a violation of a provision in sections 3517.08 to	290
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised	291
Code, whenever the secretary of state has or should have	292
knowledge of a failure to comply with or a violation of a	293
provision in one of those sections, by filing a complaint with	294
the Ohio elections commission under section 3517.153 of the	295
Revised Code.	296
(O) Make an annual report to the governor containing the	297
results of elections, the cost of elections in the various	298
counties, a tabulation of the votes in the several political	299
subdivisions, and other information and recommendations relative	300
to elections the secretary of state considers desirable;	301
(P) Prescribe and distribute to boards of elections a list	302
of instructions indicating all legal steps necessary to petition	303
successfully for local option elections under sections 4301.32	304
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;	305

(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,	335
public libraries, and offices of county treasurers;	336
(T) To the extent feasible, provide copies, at no cost and	337
upon request, of the voter registration form in post offices in	338
this state;	339
(U) Adopt rules pursuant to section 111.15 of the Revised	340
Code for the purpose of implementing the program for registering	341
voters through boards of elections, designated agencies, and the	342
offices of the registrar and deputy registrars of motor vehicles	343
consistent with this chapter;	344
(V) Establish the full-time position of Americans with	345
Disabilities Act coordinator within the office of the secretary	346
of state to do all of the following:	347
(1) Assist the secretary of state with ensuring that there	348
is equal access to polling places for persons with disabilities;	349
(2) Assist the secretary of state with ensuring that each	350
voter may cast the voter's ballot in a manner that provides the	351
same opportunity for access and participation, including privacy	352
and independence, as for other voters;	353
(3) Advise the secretary of state in the development of	354
standards for the certification of voting machines, marking	355
devices, and automatic tabulating equipment.	356
(W) Establish and maintain a computerized statewide	357
database of all legally registered voters under section 3503.15	358
of the Revised Code that complies with the requirements of the	359
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat.	360
1666, and provide training in the operation of that system;	361
(X) Ensure that all directives, advisories, other	362

instructions, or decisions issued or made during or as a result 363
of any conference or teleconference call with a board of 364
elections to discuss the proper methods and procedures for 365
conducting elections, to answer questions regarding elections, 366
or to discuss the interpretation of directives, advisories, or 367
other instructions issued by the secretary of state are posted 368
on a web site of the office of the secretary of state as soon as 369
is practicable after the completion of the conference or 370
teleconference call, but not later than the close of business on 371
the same day as the conference or teleconference call takes 372
place. 373

(Y) Publish a report on a web site of the office of the 374
secretary of state not later than one month after the completion 375
of the canvass of the election returns for each primary and 376
general election, identifying, by county, the number of absent 377
voter's ballots cast and the number of those ballots that were 378
counted, and the number of provisional ballots cast and the 379
number of those ballots that were counted, for that election. 380
The secretary of state shall maintain the information on the web 381
site in an archive format for each subsequent election. 382

(Z) Conduct voter education outlining voter 383
identification, absent voters ballot, provisional ballot, and 384
other voting requirements; 385

(AA) Establish a procedure by which a registered elector 386
may make available to a board of elections a more recent 387
signature to be used in the poll list or signature pollbook 388
produced by the board of elections of the county in which the 389
elector resides; 390

(BB) Disseminate information, which may include all or 391
part of the official explanations and arguments, by means of 392

direct mail or other written publication, broadcast, or other 393
means or combination of means, as directed by the Ohio ballot 394
board under division (F) of section 3505.062 of the Revised 395
Code, in order to inform the voters as fully as possible 396
concerning each proposed constitutional amendment, proposed law, 397
or referendum; 398

(CC) Be the single state office responsible for the 399
implementation of the "Uniformed and Overseas Citizens Absentee 400
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 401
1973ff, et seq., as amended, in this state. The secretary of 402
state may delegate to the boards of elections responsibilities 403
for the implementation of that act, including responsibilities 404
arising from amendments to that act made by the "Military and 405
Overseas Voter Empowerment Act," Subtitle H of the "National 406
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 407
111-84, 123 Stat. 3190. 408

(DD) Adopt rules, under Chapter 119. of the Revised Code, 409
to establish procedures and standards for determining when a 410
board of elections shall be placed under the official oversight 411
of the secretary of state, placing a board of elections under 412
the official oversight of the secretary of state, a board that 413
is under official oversight to transition out of official 414
oversight, and the secretary of state to supervise a board of 415
elections that is under official oversight of the secretary of 416
state. 417

(EE) Reimburse the costs associated with printing required 418
under sections 3503.10 and 3503.11 of the Revised Code. 419

(FF) Perform other duties required by law. 420

Whenever a primary election is held under section 3513.32 421

of the Revised Code or a special election is held under section 422
3521.03 of the Revised Code to fill a vacancy in the office of 423
representative to congress, the secretary of state shall 424
establish a deadline, notwithstanding any other deadline 425
required under the Revised Code, by which any or all of the 426
following shall occur: the filing of a declaration of candidacy 427
and petitions or a statement of candidacy and nominating 428
petition together with the applicable filing fee; the filing of 429
protests against the candidacy of any person filing a 430
declaration of candidacy or nominating petition; the filing of a 431
declaration of intent to be a write-in candidate; the filing of 432
campaign finance reports; the preparation of, and the making of 433
corrections or challenges to, precinct voter registration lists; 434
the receipt of applications for absent voter's ballots or 435
uniformed services or overseas absent voter's ballots; the 436
supplying of election materials to precincts by boards of 437
elections; the holding of hearings by boards of elections to 438
consider challenges to the right of a person to appear on a 439
voter registration list; and the scheduling of programs to 440
instruct or reinstruct election officers. 441

In the performance of the secretary of state's duties as 442
the chief election officer, the secretary of state may 443
administer oaths, issue subpoenas, summon witnesses, compel the 444
production of books, papers, records, and other evidence, and 445
fix the time and place for hearing any matters relating to the 446
administration and enforcement of the election laws. 447

In any controversy involving or arising out of the 448
adoption of registration or the appropriation of funds for 449
registration, the secretary of state may, through the attorney 450
general, bring an action in the name of the state in the court 451
of common pleas of the county where the cause of action arose or 452

in an adjoining county, to adjudicate the question. 453

In any action involving the laws in Title XXXV of the 454
Revised Code wherein the interpretation of those laws is in 455
issue in such a manner that the result of the action will affect 456
the lawful duties of the secretary of state or of any board of 457
elections, the secretary of state may, on the secretary of 458
state's motion, be made a party. 459

The secretary of state may apply to any court that is 460
hearing a case in which the secretary of state is a party, for a 461
change of venue as a substantive right, and the change of venue 462
shall be allowed, and the case removed to the court of common 463
pleas of an adjoining county named in the application or, if 464
there are cases pending in more than one jurisdiction that 465
involve the same or similar issues, the court of common pleas of 466
Franklin county. 467

Public high schools and vocational schools, public 468
libraries, and the office of a county treasurer shall implement 469
voter registration programs as directed by the secretary of 470
state pursuant to this section. 471

~~The secretary of state may mail unsolicited applications 472
for absent voter's ballots to individuals only for a general 473
election and only if the general assembly has made an 474
appropriation for that particular mailing. Under no other 475
circumstance shall a public office, or a public official or 476
employee who is acting in an official capacity, mail unsolicited 477
applications for absent voter's ballots to any individuals. 478~~

Sec. 3501.11. Each board of elections shall exercise by a 479
majority vote all powers granted to the board by Title XXXV of 480
the Revised Code, shall perform all the duties imposed by law, 481

and shall do all of the following:	482
(A) Establish, define, provide, rearrange, and combine election precincts;	483 484
(B) Fix and provide the places for registration and for holding primaries and elections;	485 486
(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;	487 488 489 490
(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;	491 492 493 494
(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;	495 496 497 498
(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;	499 500
(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;	501 502 503 504
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	505 506
(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling	507 508 509

this duty, each board of a county that uses voting machines, 510
marking devices, or automatic tabulating equipment shall conduct 511
a full vote of the board during a public session of the board on 512
the allocation and distribution of voting machines, marking 513
devices, and automatic tabulating equipment for each precinct in 514
the county. 515

(J) Investigate irregularities, nonperformance of duties, 516
or violations of Title XXXV of the Revised Code by election 517
officers and other persons; administer oaths, issue subpoenas, 518
summon witnesses, and compel the production of books, papers, 519
records, and other evidence in connection with any such 520
investigation; and report the facts to the prosecuting attorney 521
or the secretary of state; 522

(K) (1) Review, examine, and certify the sufficiency and 523
validity of petitions and nomination papers, and, after 524
certification, return to the secretary of state all petitions 525
and nomination papers that the secretary of state forwarded to 526
the board; 527

(2) Examine each initiative petition, or a petition filed 528
under section 307.94 or 307.95 of the Revised Code, received by 529
the board to determine whether the petition falls within the 530
scope of authority to enact via initiative and whether the 531
petition satisfies the statutory prerequisites to place the 532
issue on the ballot, as described in division (M) of section 533
3501.38 of the Revised Code. The petition shall be invalid if 534
any portion of the petition is not within the initiative power. 535

(L) Receive the returns of elections, canvass the returns, 536
make abstracts of them, and transmit those abstracts to the 537
proper authorities; 538

(M) Issue certificates of election on forms to be prescribed by the secretary of state;	539 540
(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, expenditures made, and other data required by the secretary of state;	541 542 543 544 545
(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal year;	546 547 548
(P) Perform other duties as prescribed by law or the rules, directives, or advisories of the secretary of state;	549 550
(Q) Investigate and determine the residence qualifications of electors;	551 552
(R) Administer oaths in matters pertaining to the administration of the election laws;	553 554
(S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties;	555 556 557 558 559
(T) Establish and maintain a voter registration database of all qualified electors in the county who offer to register;	560 561
(U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;	562 563 564 565 566

(V) Give approval to ballot language for any local 567
question or issue and transmit the language to the secretary of 568
state for the secretary of state's final approval; 569

(W) Prepare and cause the following notice to be displayed 570
in a prominent location in every polling place: 571

"NOTICE 572

Ohio law prohibits any person from voting or attempting to 573
vote more than once at the same election. 574

Violators are guilty of a felony of the fourth degree and 575
shall be imprisoned and additionally may be fined in accordance 576
with law." 577

(X) In all cases of a tie vote or a disagreement in the 578
board, if no decision can be arrived at, the director or 579
chairperson shall submit the matter in controversy, not later 580
than fourteen days after the tie vote or the disagreement, to 581
the secretary of state, who shall summarily decide the question, 582
and the secretary of state's decision shall be final. 583

(Y) Assist each designated agency, deputy registrar of 584
motor vehicles, public high school and vocational school, public 585
library, and office of a county treasurer in the implementation 586
of a program for registering voters at all voter registration 587
locations as prescribed by the secretary of state. Under this 588
program, each board of elections shall direct to the appropriate 589
board of elections any voter registration applications for 590
persons residing outside the county where the board is located 591
within five days after receiving the applications. 592

(Z) On any day on which an elector may vote in person at 593
the office of the board or at another site designated by the 594
board, consider the board or other designated site a polling 595

place for that day. All requirements or prohibitions of law that 596
apply to a polling place shall apply to the office of the board 597
or other designated site on that day. 598

(AA) Perform any duties with respect to voter registration 599
and voting by uniformed services and overseas voters that are 600
delegated to the board by law or by the rules, directives, or 601
advisories of the secretary of state. 602

(BB) Provide, at no cost to the person wishing to complete 603
a voter registration, change of name form, or change of address 604
form, either an electronic or paper copy of the front and back 605
of the person's photo identification. 606

Sec. 3501.22. (A) (1) Except as otherwise provided in 607
division (A) (2) of this section, on or before the fifteenth day 608
of September in each year, the board of elections by a majority 609
vote shall, after careful examination and investigation as to 610
their qualifications, appoint for each election precinct four 611
residents of the county in which the precinct is located, or a 612
county that shares a border with the county in which the 613
precinct is located, as precinct election officials. A resident 614
located in a county that shares a border with the county in 615
which the precinct is located shall provide proof of voter 616
registration in a county that shares a border with the county in 617
which the precinct is located and provide photo identification. 618

Except as otherwise provided in division (C) of this 619
section, all precinct election officials shall be qualified 620
electors. The precinct election officials shall constitute the 621
election officers of the precinct. Not more than one-half of the 622
total number of precinct election officials shall be members of 623
the same political party. The term of such precinct officers 624
shall be for one year. The board may, at any time, designate any 625

number of election officers, not more than one-half of whom 626
shall be members of the same political party, to perform their 627
duties at any precinct in any election. The board may appoint 628
additional officials, equally divided between the two major 629
political parties, when necessary to expedite voting. If the 630
board of elections determines that four precinct election 631
officials are not required in a precinct for a special election, 632
the board of elections may select two of the precinct's election 633
officers, who are not members of the same political party, to 634
serve as the precinct election officials for that precinct in 635
that special election. 636

Vacancies for unexpired terms shall be filled by the 637
board. When new precincts have been created, the board shall 638
appoint precinct election officials for those precincts for the 639
unexpired term. Any precinct election official may be summarily 640
removed from office at any time by the board for neglect of 641
duty, malfeasance, or misconduct in office or for any other good 642
and sufficient reason. 643

Precinct election officials shall perform all of the 644
duties provided by law for receiving the ballots and supplies, 645
opening and closing the polls, and overseeing the casting of 646
ballots during the time the polls are open, and any other duties 647
required by section 3501.26 of the Revised Code. 648

A board of elections may designate two precinct election 649
officials as counting officials to count and tally the votes 650
cast and certify the results of the election at each precinct, 651
and perform other duties as provided by law. To expedite the 652
counting of votes at each precinct, the board may appoint 653
additional officials, not more than one-half of whom shall be 654
members of the same political party. 655

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

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

(2) If the board of elections, by a vote of at least three members of the board, opts to have a single voting location serve more than one precinct, the board may do any of the following:

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

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

(c) If electronic pollbooks are being used in the voting location, as described in section 3506.021 of the Revised Code, appoint not less than two precinct election officials for each precinct, so long as the board approves the decision to reduce

the number of precinct election officials by the affirmative 685
vote of at least three of its members. 686

(B) If the board of elections determines that not enough 687
qualified electors in a precinct are available to serve as 688
precinct officers, it may appoint persons to serve as precinct 689
officers at a primary, special, or general election who are at 690
least seventeen years of age and are registered to vote in 691
accordance with section 3503.07 of the Revised Code. 692

(C) (1) A board of elections, in conjunction with the board 693
of education of a city, local, or exempted village school 694
district, the governing authority of a community school 695
established under Chapter 3314. of the Revised Code, or the 696
chief administrator of a nonpublic school may establish a 697
program permitting certain high school students to apply and, if 698
appointed by the board of elections, to serve as precinct 699
officers at a primary, special, or general election. 700

In addition to the requirements established by division 701
(C) (2) of this section, a board of education, governing 702
authority, or chief administrator that establishes a program 703
under this division in conjunction with a board of elections may 704
establish additional criteria that students shall meet to be 705
eligible to participate in that program. 706

(2) (a) To be eligible to participate in a program 707
established under division (C) (1) of this section, a student 708
shall be a United States citizen, a resident of the county, or a 709
county that shares a border with the county in which the 710
precinct is located, at least seventeen years of age, and 711
enrolled in the senior year of high school. A student located in 712
a county that shares a border with the county in which the 713
precinct is located shall provide proof of voter registration in 714

a county that shares a border with the county in which the 715
precinct is located and provide photo identification. 716

(b) Any student applying to participate in a program 717
established under division (C) (1) of this section, as part of 718
the student's application process, shall declare the student's 719
political party affiliation with the board of elections. 720

(3) No student appointed as a precinct officer pursuant to 721
a program established under division (C) (1) of this section 722
shall be designated as a voting location manager. 723

(4) Any student participating in a program established 724
under division (C) (1) of this section shall be excused for that 725
student's absence from school on the day of an election at which 726
the student is serving as a precinct officer. 727

(D) In any precinct with six or more precinct officers, up 728
to two students participating in a program established under 729
division (C) (1) of this section who are under eighteen years of 730
age may serve as precinct officers. Not more than one precinct 731
officer in any given precinct with fewer than six precinct 732
officers shall be under eighteen years of age. 733

(E) A precinct officer shall work for not more than seven 734
hours in single day. 735

Sec. 3503.10. (A) Each designated agency shall designate 736
one person within that agency to serve as coordinator for the 737
voter registration program within the agency and its 738
departments, divisions, and programs. The designated person 739
shall be trained under a program designed by the secretary of 740
state and shall be responsible for administering all aspects of 741
the voter registration program for that agency as prescribed by 742
the secretary of state. The designated person shall receive no 743

additional compensation for performing such duties. 744

(B) Every designated agency, public high school and 745
vocational school, public library, and office of a county 746
treasurer shall provide in each of its offices or locations 747
voter registration applications and assistance in the 748
registration of persons qualified to register to vote, in 749
accordance with this chapter. 750

(C) Every designated agency shall distribute to its 751
applicants, prior to or in conjunction with distributing a voter 752
registration application, a form prescribed by the secretary of 753
state that includes all of the following: 754

(1) The question, "Do you want to register to vote or 755
update your current voter registration?"--followed by boxes for 756
the applicant to indicate whether the applicant would like to 757
register or decline to register to vote, and the statement, 758
highlighted in bold print, "If you do not check either box, you 759
will be considered to have decided not to register to vote at 760
this time."; 761

(2) If the agency provides public assistance, the 762
statement, "Applying to register or declining to register to 763
vote will not affect the amount of assistance that you will be 764
provided by this agency."; 765

(3) The statement, "If you would like help in filling out 766
the voter registration application form, we will help you. The 767
decision whether to seek or accept help is yours. You may fill 768
out the application form in private."; 769

(4) The statement, "If you believe that someone has 770
interfered with your right to register or to decline to register 771
to vote, your right to privacy in deciding whether to register 772

or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the prosecuting attorney of your county or with the secretary of state," with the address and telephone number for each such official's office.

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

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

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

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

(3) If the designated agency is one that is primarily engaged in providing services to persons with disabilities under

a state-funded program, and that agency provides services to a 802
person with disabilities at a person's home, provide the 803
services described in divisions (E) (1) and (2) of this section 804
at the person's home; 805

(4) Keep as confidential, except as required by the 806
secretary of state for record-keeping purposes, the identity of 807
an agency through which a person registered to vote or updated 808
the person's voter registration records, and information 809
relating to a declination to register to vote made in connection 810
with a voter registration application issued by a designated 811
agency; 812

(5) Provide, at no cost to the person, either an 813
electronic or paper copy of the front and back of the person's 814
photo identification to be transmitted along with the person's 815
voter registration application, voter registration change of 816
residence form, or voter registration change of name form. 817

(F) The secretary of state shall prepare and transmit 818
written instructions on the implementation of the voter 819
registration program within each designated agency, public high 820
school and vocational school, public library, and office of a 821
county treasurer. The instructions shall include directions as 822
follows: 823

(1) That each person designated to assist with voter 824
registration maintain strict neutrality with respect to a 825
person's political philosophies, a person's right to register or 826
decline to register, and any other matter that may influence a 827
person's decision to register or not register to vote; 828

(2) That each person designated to assist with voter 829
registration not seek to influence a person's decision to 830

register or not register to vote, not display or demonstrate any 831
political preference or party allegiance, and not make any 832
statement to a person or take any action the purpose or effect 833
of which is to lead a person to believe that a decision to 834
register or not register has any bearing on the availability of 835
services or benefits offered, on the grade in a particular class 836
in school, or on credit for a particular class in school; 837

(3) Regarding when and how to assist a person in 838
completing the voter registration application, what to do with 839
the completed voter registration application or voter 840
registration update form, and when the application must be 841
transmitted to the appropriate board of elections; 842

(4) Regarding what records must be kept by the agency and 843
where and when those records should be transmitted to satisfy 844
reporting requirements imposed on the secretary of state under 845
the National Voter Registration Act of 1993; 846

(5) Regarding whom to contact to obtain answers to 847
questions about voter registration forms and procedures. 848

(G) If the voter registration activity is part of an in- 849
class voter registration program in a public high school or 850
vocational school, whether prescribed by the secretary of state 851
or independent of the secretary of state, the board of education 852
shall do all of the following: 853

(1) Establish a schedule of school days and hours during 854
these days when the person designated to assist with voter 855
registration shall provide voter registration assistance; 856

(2) Designate a person to assist with voter registration 857
from the public high school's or vocational school's staff; 858

(3) Make voter registration applications and materials 859

available, as outlined in the voter registration program 860
established by the secretary of state pursuant to section 861
3501.05 of the Revised Code; 862

(4) Distribute the statement, "applying to register or 863
declining to register to vote will not affect or be a condition 864
of your receiving a particular grade in or credit for a school 865
course or class, participating in a curricular or 866
extracurricular activity, receiving a benefit or privilege, or 867
participating in a program or activity otherwise available to 868
pupils enrolled in this school district's schools."; 869

(5) Establish a method by which the voter registration 870
application and other voter registration forms are transmitted 871
to the board of elections within five days after being accepted 872
by the public high school or vocational school. 873

(H) Any person employed by the designated agency, public 874
high school or vocational school, public library, or office of a 875
county treasurer may be designated to assist with voter 876
registration pursuant to this section. The designated agency, 877
public high school or vocational school, public library, or 878
office of a county treasurer shall provide the designated 879
person, and make available such space as may be necessary, 880
without charge to the county or state. 881

(I) The secretary of state shall prepare and cause to be 882
displayed in a prominent location in each designated agency a 883
notice that identifies the person designated to assist with 884
voter registration, the nature of that person's duties, and 885
where and when that person is available for assisting in the 886
registration of voters. 887

A designated agency may furnish additional supplies and 888

services to disseminate information to increase public awareness 889
of the existence of a person designated to assist with voter 890
registration in every designated agency. 891

(J) This section does not limit any authority a board of 892
education, superintendent, or principal has to allow, sponsor, 893
or promote voluntary election registration programs within a 894
high school or vocational school, including programs in which 895
pupils serve as persons designated to assist with voter 896
registration, provided that no pupil is required to participate. 897

(K) Each public library and office of the county treasurer 898
shall establish a method by which voter registration forms are 899
transmitted to the board of elections within five days after 900
being accepted by the public library or office of the county 901
treasurer. 902

(L) The department of job and family services and its 903
departments, divisions, and programs shall limit administration 904
of the aspects of the voter registration program for the 905
department to the requirements prescribed by the secretary of 906
state and the requirements of this section and the National 907
Voter Registration Act of 1993. 908

Sec. 3503.11. When any person applies for a driver's 909
license, commercial driver's license, a state of Ohio 910
identification card issued under section 4507.50 of the Revised 911
Code, or motorcycle operator's license or endorsement, or the 912
renewal or duplicate of any license or endorsement under Chapter 913
4506. or 4507. of the Revised Code, the registrar of motor 914
vehicles or deputy registrar shall offer the applicant the 915
opportunity to register to vote or to update the applicant's 916
voter registration. The registrar of motor vehicles or deputy 917
registrar also shall make available to all other customers voter 918

registration applications and change of residence and change of name, forms, but is not required to offer assistance to these customers in completing a voter registration application or other form.

The deputy registrar shall send any registration application or any change of residence or change of name form that was completed and submitted in paper form, along with a copy of the front and back of the person's photo identification, to the deputy registrar to the board of elections of the county in which the office of the deputy registrar is located, within five days after accepting the application or other form. The registrar shall send any completed registration application received at the bureau of motor vehicles headquarters location and any completed change of residence or change of name form processed electronically in systems or programs operated and maintained by the bureau of motor vehicles to the secretary of state within five days after accepting the application or other form.

The registrar shall provide, at no cost to the person, either an electronic or paper copy of the front and back of the person's photo identification to be transmitted along with any registration application or any change of residence or change of name form.

The registrar shall collect from each deputy registrar through the reports filed under division (J) of section 4503.03 of the Revised Code and transmit to the secretary of state information on the number of voter registration applications and change of residence or change of name forms completed or declined, and any additional information required by the secretary of state to comply with the National Voter

Registration Act of 1993. No information relating to an 949
applicant's decision to decline to register or update the 950
applicant's voter registration at the office of the registrar or 951
deputy registrar may be used for any purpose other than voter 952
registration record-keeping required by the secretary of state, 953
and all such information shall be kept confidential. 954

The secretary of state shall prescribe voter registration 955
applications and change of residence and change of name forms 956
for use by the bureau of motor vehicles. The bureau of motor 957
vehicles shall supply all of its deputy registrars with a 958
sufficient number of voter registration applications and change 959
of residence and change of name forms. 960

Sec. 3503.14. (A) The secretary of state shall prescribe 961
the form and content of the registration, change of residence, 962
and change of name forms used in this state. The forms shall 963
meet the requirements of the National Voter Registration Act of 964
1993 and shall include spaces for all of the following: 965

(1) The voter's name; 966

(2) The voter's address; 967

(3) The current date; 968

(4) The voter's date of birth; 969

(5) The voter to provide ~~one or more~~ all of the following: 970

(a) The voter's Ohio driver's license or state 971
identification card number, if any; 972

(b) The last four digits of the voter's social security 973
number, ~~if any;~~ 974

(c) A copy of the front and back of a ~~current and valid~~ 975

~~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
voter's name and address.~~

(6) The voter's signature. 982

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

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

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

(1) An election official; 1002

(2) A county treasurer; 1003

(3) A deputy registrar of motor vehicles; 1004

(4) An employee of a designated agency;	1005
(5) An employee of a public high school;	1006
(6) An employee of a public vocational school;	1007
(7) An employee of a public library;	1008
(8) An employee of the office of a county treasurer;	1009
(9) An employee of the bureau of motor vehicles;	1010
(10) An employee of a deputy registrar of motor vehicles;	1011
(11) An employee of an election official.	1012
(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.	1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
(D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person registering an applicant failed to sign the person's name or failed to name the employer who is employing that person to register the applicant as required under division (A) of this section.	1024 1025 1026 1027 1028 1029
(E) A voter registration application submitted online through the internet pursuant to section 3503.20 of the Revised	1030 1031

Code is not required to contain a signature to be considered 1032
valid. The signature obtained under division (B) of that section 1033
shall be considered the applicant's signature for all election 1034
and signature-matching purposes. 1035

(F) A registration, change of residence, or change of name 1036
form returned in person shall be returned directly to officials 1037
or employees of the secretary of state or a board of elections. 1038
A registration, change of residence, or change of name form 1039
returned in person shall include a copy of the front and back of 1040
the person's photo identification. If a person other than the 1041
person for whom the registration, change of residence, or change 1042
of name form is for returns the registration or form, that 1043
person shall also show the person's photo identification to the 1044
officials or employees. 1045

(G) As used in this section, "registering an applicant" 1046
includes any effort, for compensation, to provide voter 1047
registration forms or to assist persons in completing or 1048
returning those forms. 1049

Sec. 3503.16. (A) Except as otherwise provided in division 1050
(E) of section 111.44 of the Revised Code, whenever a registered 1051
elector changes the place of residence of that registered 1052
elector from one precinct to another within a county or from one 1053
county to another, or has a change of name, that registered 1054
elector shall report the change by delivering a change of 1055
residence or change of name form, whichever is appropriate, as 1056
prescribed by the secretary of state under section 3503.14 of 1057
the Revised Code to the state or local office of a designated 1058
agency, a public high school or vocational school, a public 1059
library, the office of the county treasurer, the office of the 1060
secretary of state, any office of the registrar or deputy 1061

registrar of motor vehicles, or any office of a board of 1062
elections in person or by a third person. Any voter 1063
registration, change of address, or change of name application, 1064
returned by mail, may be sent only to the secretary of state or 1065
the board of elections. 1066

A registered elector also may update the registration of 1067
that registered elector by filing a change of residence or 1068
change of name form on the day of a special, primary, or general 1069
election at the polling place in the precinct in which that 1070
registered elector resides or at the board of elections or at 1071
another site designated by the board. 1072

(B) (1) (a) Any registered elector who moves within a 1073
precinct on or prior to the day of a general, primary, or 1074
special election and has not filed a notice of change of 1075
residence with the board of elections may vote in that election 1076
by going to the office of the board of elections during the time 1077
that absent voter's ballots may be cast in person or to that 1078
registered elector's assigned polling place, completing and 1079
signing a notice of change of residence, showing ~~identification~~ 1080
~~in the form of a current and valid photo identification, a~~ 1081
~~military identification, or a copy of a current utility bill,~~ 1082
~~bank statement, government check, paycheck, or other government~~ 1083
~~document, other than a notice of voter registration mailed by a~~ 1084
~~board of elections under section 3503.19 of the Revised Code,~~ 1085
~~that shows the name and current address of the elector, and~~ 1086
casting a ballot. 1087

(b) Any registered elector who changes the name of that 1088
registered elector and remains within a precinct on or prior to 1089
the day of a general, primary, or special election and has not 1090
filed a notice of change of name with the board of elections may 1091

vote in that election by going to the office of the board of 1092
elections during the time that absent voter's ballots may be 1093
cast in person or to that registered elector's assigned polling 1094
place, completing and signing a notice of a change of name, and 1095
casting a provisional ballot under section 3505.181 of the 1096
Revised Code. If the registered elector provides to the precinct 1097
election officials proof of a legal name change, such as a 1098
marriage license or court order that includes the elector's 1099
current and prior names, the elector may complete and sign a 1100
notice of change of name and cast a regular ballot. 1101

(2) Any registered elector who moves from one precinct to 1102
another within a county or moves from one precinct to another 1103
and changes the name of that registered elector on or prior to 1104
the day of a general, primary, or special election and has not 1105
filed a notice of change of residence or change of name, 1106
whichever is appropriate, with the board of elections may vote 1107
in that election if that registered elector complies with 1108
division (G) of this section or does all of the following: 1109

(a) ~~Appears at anytime during regular business hours on or~~ 1110
~~after the twenty eighth day prior to the election in which that~~ 1111
~~registered elector wishes to vote or, if the election is held on~~ 1112
~~the day of a presidential primary election, the twenty fifth day~~ 1113
~~prior to the election, through noon of the Saturday prior to the~~ 1114
~~election at the office of the board of elections, appears at any~~ 1115
~~time~~ during the time that absent voter's ballots may be cast in 1116
person or during regular business hours on the Monday prior to 1117
the election ~~at the office of the board of elections,~~ or appears 1118
on the day of the election at ~~either of the following locations:~~ 1119

~~(i) The~~ the polling place for the precinct in which that 1120
registered elector resides. 1121

~~(ii) The or at the office of the board of elections or, if pursuant to division (C) of section 3501.10 of the Revised Code the board has designated another location in the county at which registered electors may vote, at that other location instead of the office of the board of elections.;~~ 1122
1123
1124
1125
1126

(b) Completes and signs, under penalty of election 1127
falsification, the written affirmation on the provisional ballot 1128
envelope, which shall serve as a notice of change of residence 1129
or change of name, whichever is appropriate; 1130

(c) Votes a provisional ballot under section 3505.181 of 1131
the Revised Code at the polling place, at the office of the 1132
board of elections, or, if pursuant to division (C) of section 1133
3501.10 of the Revised Code the board has designated another 1134
location in the county at which registered electors may vote, at 1135
that other location instead of the office of the board of 1136
elections, whichever is appropriate, using the address to which 1137
that registered elector has moved or the name of that registered 1138
elector as changed, whichever is appropriate; 1139

(d) Completes and signs, under penalty of election 1140
falsification, a statement attesting that that registered 1141
elector moved or had a change of name, whichever is appropriate, 1142
on or prior to the day of the election, has voted a provisional 1143
ballot at the polling place for the precinct in which that 1144
registered elector resides, at the office of the board of 1145
elections, or, if pursuant to division (C) of section 3501.10 of 1146
the Revised Code the board has designated another location in 1147
the county at which registered electors may vote, at that other 1148
location instead of the office of the board of elections, 1149
whichever is appropriate, and will not vote or attempt to vote 1150
at any other location for that particular election. 1151

(C) Any registered elector who moves from one county to 1152
another county within the state on or prior to the day of a 1153
general, primary, or special election and has not registered to 1154
vote in the county to which that registered elector moved may 1155
vote in that election if that registered elector complies with 1156
division (G) of this section or does all of the following: 1157

(1) ~~Appears at any time during regular business hours on 1158
or after the twenty eighth day prior to the election in which 1159
that registered elector wishes to vote or, if the election is 1160
held on the day of a presidential primary election, the twenty- 1161
fifth day prior to the election, through noon of the Saturday 1162
prior to the election at the office of the board of elections 1163
or, if pursuant to division (C) of section 3501.10 of the 1164
Revised Code the board has designated another location in the 1165
county at which registered electors may vote, at that other 1166
location instead of the office of the board of elections, during 1167
the time that absent voter's ballots may be cast in person, 1168
~~appears~~ during regular business hours on the Monday prior to the 1169
election at the office of the board of elections or, if pursuant 1170
to division (C) of section 3501.10 of the Revised Code the board 1171
has designated another location in the county at which 1172
registered electors may vote, at that other location instead of 1173
the office of the board of elections, or appears on the day of 1174
the election at the office of the board of elections or, if 1175
pursuant to division (C) of section 3501.10 of the Revised Code 1176
the board has designated another location in the county at which 1177
registered electors may vote, at that other location instead of 1178
the office of the board of elections;~~ 1179

(2) Completes and signs, under penalty of election 1180
falsification, the written affirmation on the provisional ballot 1181
envelope, which shall serve as a notice of change of residence; 1182

(3) Votes a provisional ballot under section 3505.181 of 1183
the Revised Code ~~at the office of the board of elections or, if~~ 1184
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 1185
~~the board has designated another location in the county at which~~ 1186
~~registered electors may vote, at that other location instead of~~ 1187
~~the office of the board of elections,~~ using the address to which 1188
that registered elector has moved; 1189

(4) Completes and signs, under penalty of election 1190
falsification, a statement attesting that that registered 1191
elector has moved from one county to another county within the 1192
state on or prior to the day of the election, has voted ~~at the~~ 1193
~~office of the board of elections or a provisional ballot, if~~ 1194
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 1195
~~the board has designated another location in the county at which~~ 1196
~~registered electors may vote, at that other location instead of~~ 1197
~~the office of the board of elections,~~ and will not vote or 1198
attempt to vote at any other location for that particular 1199
election. 1200

(D) A person who votes by absent voter's ballots pursuant 1201
to division (G) of this section shall not make written 1202
application for the ballots pursuant to Chapter 3509. of the 1203
Revised Code. Ballots cast pursuant to division (G) of this 1204
section shall be set aside in a special envelope and counted 1205
during the official canvass of votes in the manner provided for 1206
in sections 3505.32 and 3509.06 of the Revised Code insofar as 1207
that manner is applicable. The board shall examine the pollbooks 1208
to verify that no ballot was cast at the polls or by absent 1209
voter's ballots under Chapter 3509. or 3511. of the Revised Code 1210
by an elector who has voted by absent voter's ballots pursuant 1211
to division (G) of this section. Any ballot determined to be 1212
insufficient for any of the reasons stated above or stated in 1213

section 3509.07 of the Revised Code shall not be counted. 1214

Subject to division (C) of section 3501.10 of the Revised 1215
Code, a board of elections may lease or otherwise acquire a site 1216
different from the office of the board at which registered 1217
electors may vote pursuant to division (B) or (C) of this 1218
section. 1219

(E) Upon receiving a notice of change of residence or 1220
change of name, the board of elections shall immediately send 1221
the registrant an acknowledgment notice. If the change of 1222
residence or change of name notice is valid, the board shall 1223
update the voter's registration as appropriate. If that form is 1224
incomplete, the board shall inform the registrant in the 1225
acknowledgment notice specified in this division of the 1226
information necessary to complete or update that registrant's 1227
registration. 1228

(F) Change of residence and change of name forms shall be 1229
available at each polling place, and when these forms are 1230
completed, noting changes of residence or name, as appropriate, 1231
they shall be filed with election officials at the polling 1232
place. Election officials shall return completed forms, together 1233
with the pollbooks and tally sheets, to the board of elections. 1234

The board of elections shall provide change of residence 1235
and change of name forms to the probate court and court of 1236
common pleas. The court shall provide the forms to any person 1237
eighteen years of age or older who has a change of name by order 1238
of the court or who applies for a marriage license. The court 1239
shall forward all completed forms to the board of elections 1240
within five days after receiving them. 1241

(G) A registered elector who otherwise would qualify to 1242

vote under division (B) or (C) of this section but is unable to 1243
appear at the office of the board of elections or, if pursuant 1244
to division (C) of section 3501.10 of the Revised Code the board 1245
has designated another location in the county at which 1246
registered electors may vote, at that other location, on account 1247
of personal illness, physical disability, or infirmity, may vote 1248
~~on the day of~~ in the election if that registered elector does 1249
all of the following: 1250

(1) Makes a written application that includes all of the 1251
information required under section 3509.03 of the Revised Code 1252
to the appropriate board for an absent voter's ballot ~~on or~~ 1253
~~after the twenty-seventh day prior to the election in which the~~ 1254
~~registered elector wishes to vote through noon of the Saturday~~ 1255
~~prior to that election~~ in accordance with the deadlines 1256
described in that section and requests that the absent voter's 1257
ballot be sent to the address to which the registered elector 1258
has moved if the registered elector has moved, or to the address 1259
of that registered elector who has not moved but has had a 1260
change of name; 1261

(2) Declares that the registered elector has moved or had 1262
a change of name, whichever is appropriate, and otherwise is 1263
qualified to vote under the circumstances described in division 1264
(B) or (C) of this section, whichever is appropriate, but that 1265
the registered elector is unable to appear at the board of 1266
elections because of personal illness, physical disability, or 1267
infirmity; 1268

(3) Completes and returns along with the completed absent 1269
voter's ballot a notice of change of residence indicating the 1270
address to which the registered elector has moved, or a notice 1271
of change of name, whichever is appropriate; 1272

(4) Completes and signs, under penalty of election 1273
falsification, a statement attesting that the registered elector 1274
has moved or had a change of name on or prior to the day before 1275
the election, has voted by absent voter's ballot because of 1276
personal illness, physical disability, or infirmity that 1277
prevented the registered elector from appearing at the board of 1278
elections, and will not vote or attempt to vote at any other 1279
location or by absent voter's ballot mailed to any other 1280
location or address for that particular election. 1281

Sec. 3503.19. (A) Persons qualified to register or to 1282
change their registration because of a change of address or 1283
change of name may register or change their registration in 1284
person at any state or local office of a designated agency, at 1285
the office of the registrar or any deputy registrar of motor 1286
vehicles, at a public high school or vocational school, at a 1287
public library, at the office of a county treasurer, or at a 1288
branch office established by the board of elections, or in 1289
person, through another person, or by mail at the office of the 1290
secretary of state or at the office of a board of elections. A 1291
registered elector may also change the elector's registration on 1292
election day at any polling place where the elector is eligible 1293
to vote, in the manner provided under section 3503.16 of the 1294
Revised Code. 1295

Any state or local office of a designated agency, the 1296
office of the registrar or any deputy registrar of motor 1297
vehicles, a public high school or vocational school, a public 1298
library, or the office of a county treasurer shall transmit any 1299
voter registration application or change of registration form 1300
that it receives to the board of elections of the county in 1301
which the state or local office is located, within five days 1302
after receiving the voter registration application or change of 1303

registration form. 1304

An otherwise valid voter registration application that is 1305
returned to the appropriate office other than by mail must be 1306
received by a state or local office of a designated agency, the 1307
office of the registrar or any deputy registrar of motor 1308
vehicles, a public high school or vocational school, a public 1309
library, the office of a county treasurer, the office of the 1310
secretary of state, or the office of a board of elections no 1311
later than the thirtieth day preceding a primary, special, or 1312
general election for the person to qualify as an elector 1313
eligible to vote at that election. An otherwise valid 1314
registration application received after that day entitles the 1315
elector to vote at all subsequent elections. 1316

Any state or local office of a designated agency, the 1317
office of the registrar or any deputy registrar of motor 1318
vehicles, a public high school or vocational school, a public 1319
library, or the office of a county treasurer shall date stamp a 1320
registration application or change of name or change of address 1321
form it receives using a date stamp that does not disclose the 1322
identity of the state or local office that receives the 1323
registration. 1324

Voter registration applications, if otherwise valid, that 1325
are returned by mail to the office of the secretary of state or 1326
to the office of a board of elections must be postmarked no 1327
later than the thirtieth day preceding a primary, special, or 1328
general election in order for the person to qualify as an 1329
elector eligible to vote at that election. If an otherwise valid 1330
voter registration application that is returned by mail does not 1331
bear a postmark or a legible postmark, the registration shall be 1332
valid for that election if received by the office of the 1333

secretary of state or the office of a board of elections no 1334
later than twenty-five days preceding any special, primary, or 1335
general election. 1336

(B) (1) Any person may apply in person, by telephone, by 1337
mail, or through another person for voter registration forms to 1338
the office of the secretary of state or the office of a board of 1339
elections. An individual who is eligible to vote as a uniformed 1340
services voter or an overseas voter in accordance with 42 U.S.C. 1341
1973ff-6 also may apply for voter registration forms by 1342
electronic means to the office of the secretary of state or to 1343
the board of elections of the county in which the person's 1344
voting residence is located pursuant to section 3503.191 of the 1345
Revised Code. 1346

(2) (a) An applicant may return the applicant's completed 1347
registration form in person or by mail to any state or local 1348
office of a designated agency, to a public high school or 1349
vocational school, to a public library, to the office of a 1350
county treasurer, to the office of the secretary of state, or to 1351
the office of a board of elections. An applicant who is eligible 1352
to vote as a uniformed services voter or an overseas voter in 1353
accordance with 42 U.S.C. 1973ff-6 also may return the 1354
applicant's completed voter registration form electronically to 1355
the office of the secretary of state or to the board of 1356
elections of the county in which the person's voting residence 1357
is located pursuant to section 3503.191 of the Revised Code. 1358

(b) Subject to division (B) (2) (c) of this section, an 1359
applicant may return the applicant's completed registration form 1360
through another person to any board of elections or the office 1361
of the secretary of state. 1362

(c) A person who receives compensation for registering a 1363

voter shall return any registration form entrusted to that 1364
person by an applicant to any board of elections or to the 1365
office of the secretary of state. 1366

(d) If a board of elections or the office of the secretary 1367
of state receives a registration form under division (B) (2) (b) 1368
or (c) of this section before the thirtieth day before an 1369
election, the board or the office of the secretary of state, as 1370
applicable, shall forward the registration to the board of 1371
elections of the county in which the applicant is seeking to 1372
register to vote within ten days after receiving the 1373
application. If a board of elections or the office of the 1374
secretary of state receives a registration form under division 1375
(B) (2) (b) or (c) of this section on or after the thirtieth day 1376
before an election, the board or the office of the secretary of 1377
state, as applicable, shall forward the registration to the 1378
board of elections of the county in which the applicant is 1379
seeking to register to vote within thirty days after that 1380
election. 1381

(C) (1) A board of elections that receives a voter 1382
registration application and is satisfied as to the truth of the 1383
statements made in the registration form shall register the 1384
applicant not later than twenty business days after receiving 1385
the application, unless that application is received during the 1386
thirty days immediately preceding the day of an election. The 1387
board shall promptly notify the applicant in writing of each of 1388
the following: 1389

(a) The applicant's registration; 1390

(b) The precinct in which the applicant is to vote; 1391

(c) In bold type as follows: 1392

"Voters must bring photo identification or a United States 1393
passport that is not expired to the polls in order to verify 1394
identity. ~~Identification may include a current and valid photo-~~ 1395
~~identification, a military identification, or a copy of a~~ 1396
~~current utility bill, bank statement, government check,~~ 1397
~~paycheck, or other government document, other than this~~ 1398
~~notification, that shows the voter's name and current address.~~ 1399
Voters who do not provide one of these documents have a 1400
religious objection to being photographed will still be able to 1401
vote by casting a ~~provisional ballot~~. ~~Voters who do not have any-~~ 1402
~~of the above forms of identification, including a social-~~ 1403
~~security number, will still be able to vote by signing an~~ 1404
affirmation swearing to the voter's identity to that effect 1405
under penalty of election falsification and by casting a 1406
provisional ballot." 1407

The notification shall be by nonforwardable mail. If the 1408
mail is returned to the board, it shall investigate and cause 1409
the notification to be delivered to the correct address. 1410

(2) If, after investigating as required under division (C) 1411
(1) of this section, the board is unable to verify the voter's 1412
correct address, it shall cause the voter's name in the official 1413
registration list and in the poll list or signature pollbook to 1414
be marked to indicate that the voter's notification was returned 1415
to the board. 1416

At the first election at which a voter whose name has been 1417
so marked appears to vote, the voter shall be required to 1418
provide photo identification to the election officials and to 1419
vote by provisional ballot under section 3505.181 of the Revised 1420
Code. If the provisional ballot is counted pursuant to division 1421
(B) (3) of section 3505.183 of the Revised Code, the board shall 1422

correct that voter's registration, if needed, and shall remove 1423
the indication that the voter's notification was returned from 1424
that voter's name on the official registration list and on the 1425
poll list or signature pollbook. If the provisional ballot is 1426
not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1427
section 3505.183 of the Revised Code, the voter's registration 1428
shall be canceled. The board shall notify the voter by United 1429
States mail of the cancellation. 1430

(3) If a notice of the disposition of an otherwise valid 1431
registration application is sent by nonforwardable mail and is 1432
returned undelivered, the person shall be registered as provided 1433
in division (C) (2) of this section and sent a confirmation 1434
notice by forwardable mail. If the person fails to respond to 1435
the confirmation notice, update the person's registration, or 1436
vote by provisional ballot as provided in division (C) (2) of 1437
this section in any election during the period of two federal 1438
elections subsequent to the mailing of the confirmation notice, 1439
the person's registration shall be canceled. 1440

Sec. 3503.20. (A) The secretary of state shall establish a 1441
secure online voter registration system. The system shall 1442
provide for all of the following: 1443

(1) An applicant to submit a voter registration 1444
application to the secretary of state online through the 1445
internet; 1446

(2) The online applicant to be registered to vote, if all 1447
of the following apply: 1448

(a) The application contains all of the following 1449
information: 1450

(i) The applicant's name; 1451

(ii) The applicant's address;	1452
(iii) The applicant's date of birth;	1453
(iv) The last four digits of the applicant's social security number;	1454 1455
(v) The applicant's Ohio driver's license number or the number of the applicant's state identification card issued under section 4507.50 of the Revised Code;	1456 1457 1458
<u>(vi) An uploaded copy of the front and back of the applicant's photo identification.</u>	1459 1460
(b) The applicant's name, address, and date of birth, the last four digits of the applicant's social security number, and the applicant's Ohio driver's license number or the number of the applicant's state identification card as they are provided in the application are not inconsistent with the information on file with the bureau of motor vehicles;	1461 1462 1463 1464 1465 1466
(c) The applicant is a United States citizen, will have lived in this state for thirty days immediately preceding the next election, will be at least eighteen years of age on or before the day of the next general election, and is otherwise eligible to register to vote;	1467 1468 1469 1470 1471
(d) The applicant attests to the truth and accuracy of the information submitted in the online application under penalty of election falsification.	1472 1473 1474
(B) If an individual registers to vote or a registered elector updates the elector's name, address, or both under this section, the secretary of state shall obtain an electronic copy of the applicant's or elector's signature that is on file with the bureau of motor vehicles. That electronic signature shall be	1475 1476 1477 1478 1479

used as the applicant's or elector's signature on voter 1480
registration records, for all election and signature-matching 1481
purposes. 1482

(C) The secretary of state shall employ whatever security 1483
measures the secretary of state considers necessary to ensure 1484
the integrity and accuracy of voter registration information 1485
submitted electronically pursuant to this section. Errors in 1486
processing voter registration applications in the online system 1487
shall not prevent an applicant from becoming registered or from 1488
voting. 1489

(D) The online voter registration application established 1490
under division (A) of this section shall include the following 1491
language: 1492

"By clicking the box below, I affirm all of the following 1493
under penalty of election falsification, which is a felony of 1494
the fifth degree: 1495

(1) I am the person whose name and identifying information 1496
is provided on this form, and I desire to register to vote, or 1497
update my voter registration, in the State of Ohio. 1498

(2) All of the information I have provided on this form is 1499
true and correct as of the date I am submitting this form. 1500

(3) I am a United States citizen. 1501

(4) I will have lived in Ohio for thirty days immediately 1502
preceding the next election. 1503

(5) I will be at least eighteen years of age on or before 1504
the day of the next general election. 1505

(6) I authorize the Bureau of Motor Vehicles to transmit 1506
to the Ohio Secretary of State my signature that is on file with 1507

the Bureau of Motor Vehicles, and I understand and agree that 1508
the signature transmitted by the Bureau of Motor Vehicles will 1509
be used by the Secretary of State to validate this electronic 1510
voter registration application as if I had signed this form 1511
personally." 1512

In order to register to vote or update a voter 1513
registration under division (A) of this section, an applicant or 1514
elector shall be required to mark the box in the online voter 1515
registration application that appears in conjunction with the 1516
previous statement. 1517

(E) The online voter registration process established 1518
under division (A) of this section shall be in operation and 1519
available for use by individuals who wish to register to vote or 1520
update their voter registration information online not earlier 1521
than January 1, 2017. During the period beginning on the first 1522
day after the close of voter registration before an election and 1523
ending on the day of the election, the online voter registration 1524
system shall display a notice indicating that the applicant will 1525
not be registered to vote for the purposes of that election. 1526

(F) Notwithstanding section 1.50 of the Revised Code, if 1527
any provision of this section or of division (E) of section 1528
3503.14 of the Revised Code is held invalid, or if the 1529
application of any provision of this section or of that division 1530
to any person or circumstance is held invalid, then this section 1531
and that division cease to operate. 1532

Sec. 3503.28. (A) The secretary of state shall develop an 1533
information brochure regarding voter registration. The brochure 1534
shall include, but is not limited to, all of the following 1535
information: 1536

- (1) The applicable deadlines for registering to vote or 1537
for returning an applicant's completed registration form; 1538
- (2) The applicable deadline for returning an applicant's 1539
completed registration form if the person returning the form is 1540
being compensated for registering voters; 1541
- (3) The locations to which a person may return an 1542
applicant's completed registration form and the requirement to 1543
provide photo identification when returning a completed 1544
registration form; 1545
- (4) The ~~location~~ locations to which a person who is 1546
compensated for registering voters may return an applicant's 1547
completed registration form and the requirement to provide photo 1548
identification when returning a completed registration form; 1549
- (5) The registration and affirmation requirements 1550
applicable to persons who are compensated for registering voters 1551
under section 3503.29 of the Revised Code; 1552
- (6) A notice, which shall be written in bold type, stating 1553
as follows: 1554
- "Voters must bring photo identification or a United States 1555
passport that is not expired to the polls in order to verify 1556
identity. ~~Identification may include a current and valid photo-~~ 1557
~~identification, a military identification, or a copy of a~~ 1558
~~current utility bill, bank statement, government check,~~ 1559
~~paycheck, or other government document, other than a voter~~ 1560
~~registration notification sent by a board of elections, that~~ 1561
~~shows the voter's name and current address. Voters who do not~~ 1562
~~provide one of these documents have a religious objection to~~ 1563
~~being photographed will still be able to vote ~~by casting a~~~~ 1564
~~provisional ballot. Voters who do not have any of the above-~~ 1565

~~forms of identification, including a social security number,~~ 1566
~~will still be able to vote by signing an affirmation swearing to~~ 1567
~~the voter's identity to that effect~~ under penalty of election 1568
falsification and by casting a provisional ballot." 1569

(B) Except as otherwise provided in division (D) of this 1570
section, a board of elections, designated agency, public high 1571
school, public vocational school, public library, office of a 1572
county treasurer, or deputy registrar of motor vehicles shall 1573
distribute a copy of the brochure developed under division (A) 1574
of this section to any person who requests more than two voter 1575
registration forms at one time. 1576

(C) (1) The secretary of state shall provide the 1577
information required to be included in the brochure developed 1578
under division (A) of this section to any person who prints a 1579
voter registration form that is made available on a web site of 1580
the office of the secretary of state. 1581

(2) If a board of elections operates and maintains a web 1582
site, the board shall provide the information required to be 1583
included in the brochure developed under division (A) of this 1584
section to any person who prints a voter registration form that 1585
is made available on that web site. 1586

(D) A board of elections shall not be required to 1587
distribute a copy of a brochure under division (B) of this 1588
section to any of the following officials or employees who are 1589
requesting more than two voter registration forms at one time in 1590
the course of the official's or employee's normal duties: 1591

(1) An election official; 1592

(2) A county treasurer; 1593

(3) A deputy registrar of motor vehicles; 1594

(4) An employee of a designated agency;	1595
(5) An employee of a public high school;	1596
(6) An employee of a public vocational school;	1597
(7) An employee of a public library;	1598
(8) An employee of the office of a county treasurer;	1599
(9) An employee of the bureau of motor vehicles;	1600
(10) An employee of a deputy registrar of motor vehicles;	1601
(11) An employee of an election official.	1602
(E) As used in this section, "registering voters" includes	1603
any effort, for compensation, to provide voter registration	1604
forms or to assist persons in completing or returning those	1605
forms.	1606
Sec. 3505.08. (A) Ballots shall be provided by the board	1607
of elections for all general and special elections. The ballots	1608
shall be printed with black ink on No. 2 white book paper fifty	1609
pounds in weight per ream assuming such ream to consist of five	1610
hundred sheets of such paper twenty-five by thirty-eight inches	1611
in size. Each ballot shall have attached at the top two stubs,	1612
each of the width of the ballot and not less than one-half inch	1613
in length, except that, if the board of elections has an	1614
alternate method to account for the ballots that the secretary	1615
of state has authorized, each ballot may have only one stub that	1616
shall be the width of the ballot and not less than one-half inch	1617
in length. In the case of ballots with two stubs, the stubs	1618
shall be separated from the ballot and from each other by	1619
perforated lines. The top stub shall be known as Stub B and	1620
shall have printed on its face "Stub B." The other stub shall be	1621
known as Stub A and shall have printed on its face "Stub A."	1622

Each stub shall also have printed on its face "Consecutive
Number _____" 1623
1624

Each ballot of each kind of ballot provided for use in 1625
each precinct shall be numbered consecutively beginning with 1626
number 1 by printing such number upon both of the stubs attached 1627
to the ballot. On ballots bearing the names of candidates, each 1628
candidate's name shall be printed in twelve point boldface upper 1629
case type in an enclosed rectangular space, and an enclosed 1630
blank rectangular space shall be provided at the left of the 1631
candidate's name. The name of the political party of a candidate 1632
nominated at a primary election, nominated by petition under 1633
section 3517.012 of the Revised Code, or certified by a party 1634
committee shall be printed in ten point lightface upper and 1635
lower case type and shall be separated by a two point blank 1636
space. The name of each candidate shall be indented one space 1637
within the enclosed rectangular space, and the name of the 1638
political party shall be indented two spaces within the enclosed 1639
rectangular space. 1640

The title of each office on the ballots shall be printed 1641
in twelve point boldface upper and lower case type in a separate 1642
enclosed rectangular space. A four point rule shall separate the 1643
name of a candidate or a group of candidates for the same office 1644
from the title of the office next appearing below on the ballot; 1645
a two point rule shall separate the title of the office from the 1646
names of candidates; and a one point rule shall separate names 1647
of candidates. Headings shall be printed in display Roman type. 1648
When the names of several candidates are grouped together as 1649
candidates for the same office, there shall be printed on the 1650
ballots immediately below the title of the office and within the 1651
separate rectangular space in which the title is printed "Vote 1652
for not more than _____," in six point boldface upper and 1653

lower case filling the blank space with that number which will 1654
indicate the number of persons who may be lawfully elected to 1655
the office. 1656

Columns on ballots shall be separated from each other by a 1657
heavy vertical border or solid line at least one-eighth of an 1658
inch wide, and a similar vertical border or line shall enclose 1659
the left and right side of ballots. Ballots shall be trimmed 1660
along the sides close to such lines. 1661

The ballots provided for by this section shall be 1662
comprised of four kinds of ballots designated as follows: office 1663
type ballot; nonpartisan ballot; questions and issues ballot; 1664
and presidential ballot. 1665

On the back of each office type ballot shall be printed 1666
"Official Office Type Ballot;" on the back of each nonpartisan 1667
ballot shall be printed "Official Nonpartisan Ballot;" on the 1668
back of each questions and issues ballot shall be printed 1669
"Official Questions and Issues Ballot;" and on the back of each 1670
presidential ballot shall be printed "Official Presidential 1671
Ballot." At the end of every ballot also shall be printed the 1672
date of the election at which the ballot is used ~~and the~~ 1673
~~facsimile signatures of the members of the board of the county~~ 1674
~~in which the ballot is used.~~ For the purpose of identifying the 1675
kind of ballot, the back of every ballot may be numbered in the 1676
order the board shall determine. The numbers shall be printed in 1677
not less than thirty-six point type above the words "Official 1678
Office Type Ballot," "Official Nonpartisan Ballot," "Official 1679
Questions and Issues Ballot," or "Official Presidential Ballot," 1680
as the case may be. A ballot box bearing corresponding numbers 1681
shall be furnished for each precinct in which the above- 1682
described numbered ballots are used. 1683

On the back of every ballot used, there shall be a solid 1684
black line printed opposite the blank rectangular space that is 1685
used to mark the choice of the voter. This line shall be printed 1686
wide enough so that the mark in the blank rectangular space will 1687
not be visible from the back side of the ballot. 1688

Sample ballots may be printed by the board of elections 1689
for all general elections. The ballots shall be printed on 1690
colored paper, and "Sample Ballot" shall be plainly printed in 1691
boldface type on the face of each ballot. In counties of less 1692
than one hundred thousand population, the board may print not 1693
more than five hundred sample ballots; in all other counties, it 1694
may print not more than one thousand sample ballots. The sample 1695
ballots shall not be distributed by a political party or a 1696
candidate, nor shall a political party or candidate cause their 1697
title or name to be imprinted on sample ballots. 1698

(B) Notwithstanding division (A) of this section, in 1699
approving the form of an official ballot, the secretary of state 1700
may authorize the use of fonts, type face settings, and ballot 1701
formats other than those prescribed in that division. 1702

Sec. 3505.18. (A) (1) When an elector appears in a polling 1703
place to vote, the elector shall announce to the precinct 1704
election officials the elector's full name and current address 1705
and provide proof of the elector's identity in the form of a 1706
~~current and valid photo identification, a military~~ 1707
~~identification, or a copy of a current utility bill, bank~~ 1708
~~statement, government check, paycheck, or other government~~ 1709
~~document, other than a notice of voter registration mailed by a~~ 1710
~~board of elections under section 3503.19 of the Revised Code,~~ 1711
~~that shows the name and current address of the elector or a~~ 1712
United States passport that is not expired. 1713

(2) If an elector does not have or is unable to provide photo identification or a United States passport that is not expired to the precinct election officials because the elector has a religious objection to being photographed, the elector may execute an affirmation under penalty of election falsification to that effect and cast a provisional ballot under section 3505.181 of the Revised Code. The secretary of state shall prescribe the form of the affirmation, which shall include spaces for all of the following: 1714
1715
1716
1717
1718
1719
1720
1721
1722

(a) The elector's name; 1723

(b) The elector's address; 1724

(c) The current date; 1725

(d) The elector's date of birth; 1726

(e) The elector's signature; 1727

(f) A statement that the elector has a religious objection to being photographed. 1728
1729

(3) If an elector does not have or is unable to provide photo identification, as defined in division (AA) of section 3501.01 of the Revised Code, or a United States passport that is not expired to the precinct election officials ~~any of the forms of identification required under division (A) (1) of this section~~ but does not have a religious objection to being photographed, the elector may cast a provisional ballot under section 3505.181 of the Revised Code and do either of the following: 1730
1731
1732
1733
1734
1735
1736
1737
1738

(a) Write the elector's Ohio driver's license or state identification card number or the last four digits of the elector's social security number on the provisional ballot 1739
1740
1741

envelope; or 1742

(b) Appear at the office of the board of elections not 1743
later than the seventh day after the day of the election and 1744
provide ~~the photo identification required under division (A)(1)~~ 1745
~~of this section~~, the elector's Ohio driver's license or state 1746
identification card number, or the last four digits of the 1747
elector's social security number. 1748

(B) After the elector has announced the elector's full 1749
name and current address and provided ~~any of the forms of photo~~ 1750
identification required under division (A)(1) of this section, 1751
the elector shall ~~write~~ confirm the elector's name and address 1752
by signing the elector's name at the proper place in the poll 1753
list or signature pollbook provided for the purpose, except that 1754
if, for any reason, an elector is unable to ~~write~~ sign the 1755
elector's name ~~and current address~~ in the poll list or signature 1756
pollbook, the elector may make the elector's mark at the place 1757
intended for the elector's name, and a precinct election 1758
official shall write the name of the elector at the proper place 1759
on the poll list or signature pollbook following the elector's 1760
mark. The making of such a mark shall be attested by the 1761
precinct election official, who shall evidence the same by 1762
signing the precinct election official's name on the poll list 1763
or signature pollbook as a witness to the mark. Alternatively, 1764
if applicable, an attorney in fact acting pursuant to section 1765
3501.382 of the Revised Code may sign the elector's signature in 1766
the poll list or signature pollbook in accordance with that 1767
section. 1768

The elector's signature in the poll list or signature 1769
pollbook then shall be compared with the elector's signature on 1770
the elector's registration form or a digitized signature list as 1771

provided for in section 3503.13 of the Revised Code, and if, in 1772
the opinion of a majority of the precinct election officials, 1773
the signatures are the signatures of the same person, the 1774
election officials shall enter the date of the election on the 1775
registration form or shall record the date by other means 1776
prescribed by the secretary of state. The validity of an 1777
attorney in fact's signature on behalf of an elector shall be 1778
determined in accordance with section 3501.382 of the Revised 1779
Code. 1780

If the right of the elector to vote is not then 1781
challenged, or, if being challenged, the elector establishes the 1782
elector's right to vote, the elector shall be allowed to proceed 1783
to use the voting machine. If voting machines are not being used 1784
in that precinct, the precinct election official in charge of 1785
ballots shall then detach the next ballots to be issued to the 1786
elector from Stub B attached to each ballot, leaving Stub A 1787
attached to each ballot, hand the ballots to the elector, and 1788
call the elector's name and the stub number on each of the 1789
ballots. The precinct election official shall enter the stub 1790
numbers opposite the signature of the elector in the pollbook. 1791
The elector shall then retire to one of the voting compartments 1792
to mark the elector's ballots. No mark shall be made on any 1793
ballot which would in any way enable any person to identify the 1794
person who voted the ballot. 1795

Sec. 3505.181. (A) All of the following individuals shall 1796
be permitted to cast a provisional ballot at an election: 1797

(1) An individual who declares that the individual is a 1798
registered voter in the precinct in which the individual desires 1799
to vote and that the individual is eligible to vote in an 1800
election, but the name of the individual does not appear on the 1801

official list of eligible voters for the precinct or an election 1802
official asserts that the individual is not eligible to vote; 1803

(2) An individual who does not have or is unable to 1804
provide photo identification to the election officials~~any of~~ 1805
~~the forms of identification required under division (A) (1) of~~ 1806
~~section 3505.18 of the Revised Code;~~ 1807

(3) An individual whose name in the poll list or signature 1808
pollbook has been marked under section 3509.09 or 3511.13 of the 1809
Revised Code as having requested an absent voter's ballot or a 1810
uniformed services or overseas absent voter's ballot for that 1811
election and who appears to vote at the polling place; 1812

(4) An individual whose notification of registration has 1813
been returned undelivered to the board of elections and whose 1814
name in the official registration list and in the poll list or 1815
signature pollbook has been marked under division (C) (2) of 1816
section 3503.19 of the Revised Code; 1817

(5) An individual who has been successfully challenged 1818
under section 3505.20 or 3513.20 of the Revised Code; 1819

(6) An individual who changes the individual's name and 1820
remains within the precinct without providing proof of that name 1821
change under division (B) (1) (b) of section 3503.16 of the 1822
Revised Code, moves from one precinct to another within a 1823
county, moves from one precinct to another and changes the 1824
individual's name, or moves from one county to another within 1825
the state, and completes and signs the required forms and 1826
statements under division (B) or (C) of section 3503.16 of the 1827
Revised Code; 1828

(7) An individual whose signature, in the opinion of the 1829
precinct officers under section 3505.22 of the Revised Code, is 1830

not that of the person who signed that name in the registration forms. 1831
1832

(B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to cast a provisional ballot as follows: 1833
1834
1835

(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election. 1836
1837
1838

(2) Except as otherwise provided in division (F) of this section, the individual shall complete and execute a written affirmation before an election official at the polling place stating that the individual is both of the following: 1839
1840
1841
1842

(a) A registered voter in the precinct in which the individual desires to vote; 1843
1844

(b) Eligible to vote in that election. 1845

(3) An election official at the polling place shall transmit the ballot cast by the individual and the voter information contained in the written affirmation executed by the individual under division (B) (2) of this section to an appropriate local election official for verification under division (B) (4) of this section. 1846
1847
1848
1849
1850
1851

(4) If the appropriate local election official to whom the ballot or voter or address information is transmitted under division (B) (3) of this section determines that the individual is eligible to vote, the individual's provisional ballot shall be counted as a vote in that election. 1852
1853
1854
1855
1856

(5) (a) At the time that an individual casts a provisional ballot, the appropriate local election official shall give the 1857
1858

individual written information that states that any individual 1859
who casts a provisional ballot will be able to ascertain under 1860
the system established under division (B) (5) (b) of this section 1861
whether the vote was counted, and, if the vote was not counted, 1862
the reason that the vote was not counted. 1863

(b) The appropriate state or local election official shall 1864
establish a free access system, in the form of a toll-free 1865
telephone number, that any individual who casts a provisional 1866
ballot may access to discover whether the vote of that 1867
individual was counted, and, if the vote was not counted, the 1868
reason that the vote was not counted. The free access system 1869
established under this division also shall provide to an 1870
individual whose provisional ballot was not counted information 1871
explaining how that individual may contact the board of 1872
elections to register to vote or to resolve problems with the 1873
individual's voter registration. 1874

The appropriate state or local election official shall 1875
establish and maintain reasonable procedures necessary to 1876
protect the security, confidentiality, and integrity of personal 1877
information collected, stored, or otherwise used by the free 1878
access system established under this division. The system shall 1879
permit an individual only to gain access to information about 1880
the individual's own provisional ballot. 1881

(6) If, at the time that an individual casts a provisional 1882
ballot, the individual provides ~~photo identification in the form~~ 1883
~~of a current and valid photo identification, a military~~ 1884
~~identification, or a copy of a current utility bill, bank~~ 1885
~~statement, government check, paycheck, or other government~~ 1886
~~document, other than a notice of voter registration mailed by a~~ 1887
~~board of elections under section 3503.19 of the Revised Code,~~ 1888

~~that shows the individual's name and current address, or~~ 1889
~~provides,~~ the individual's Ohio driver's license or state 1890
identification card number, or the last four digits of the 1891
individual's social security number or executes an affirmation 1892
that the individual has a religious objection to being 1893
photographed, the individual shall ~~record the type of~~ 1894
~~identification provided or the driver's license, state~~ 1895
~~identification card, or social security number information and~~ 1896
include that information on the provisional ballot affirmation 1897
under division (B) (3) of this section. 1898

(7) During the seven days after the day of an election, an 1899
individual who casts a provisional ballot because the individual 1900
does not have or is unable to provide photo identification to 1901
the election officials ~~any of the required forms of~~ 1902
~~identification but does not have a religious objection~~ or 1903
because the individual has been successfully challenged under 1904
section 3505.20 of the Revised Code shall appear at the office 1905
of the board of elections and provide to the board any 1906
additional information necessary to determine the eligibility of 1907
the individual who cast the provisional ballot. 1908

(a) For a provisional ballot cast by an individual who 1909
does not have or is unable to provide photo identification to 1910
the election officials ~~any of the required forms of~~ 1911
~~identification to be eligible to be counted~~ but does not have a 1912
religious objection to being photographed, the individual who 1913
cast that ballot, within seven days after the day of the 1914
election, shall do either of the following: 1915

(i) Provide photo identification to the board of elections 1916
~~proof of the individual's identity in the form of a current and~~ 1917
~~valid photo identification, a military identification, or a copy~~ 1918

~~of a current utility bill, bank statement, government check, 1919
paycheck, or other government document, other than a notice of 1920
voter registration mailed by a board of elections under section 1921
3503.19 of the Revised Code, that shows the individual's name 1922
and current address; or 1923~~

(ii) Provide to the board of elections the individual's 1924
Ohio driver's license or state identification card number or the 1925
last four digits of the individual's social security number. 1926

(b) For a provisional ballot cast by an individual who has 1927
been successfully challenged under section 3505.20 of the 1928
Revised Code to be eligible to be counted, the individual who 1929
cast that ballot, within seven days after the day of that 1930
election, shall provide to the board of elections any 1931
identification or other documentation required to be provided by 1932
the applicable challenge questions asked of that individual 1933
under section 3505.20 of the Revised Code. 1934

(C) (1) If an individual declares that the individual is 1935
eligible to vote in a precinct other than the precinct in which 1936
the individual desires to vote, or if, upon review of the 1937
precinct voting location guide using the residential street 1938
address provided by the individual, an election official at the 1939
precinct at which the individual desires to vote determines that 1940
the individual is not eligible to vote in that precinct, the 1941
election official shall direct the individual to the precinct 1942
and polling place in which the individual appears to be eligible 1943
to vote, explain that the individual may cast a provisional 1944
ballot at the current location but the ballot or a portion of 1945
the ballot will not be counted if it is cast in the wrong 1946
precinct, and provide the telephone number of the board of 1947
elections in case the individual has additional questions. 1948

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

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

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

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

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

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

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

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

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

following:	1977
(a) An electronic or paper record that lists the correct precinct and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;	1978 1979 1980 1981
(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct precinct and polling place of any qualified elector who resides in the county.	1982 1983 1984 1985 1986
(2) "Voting information" means all of the following:	1987
(a) A sample version of the ballot that will be used for that election;	1988 1989
(b) Information regarding the date of the election and the hours during which polling places will be open;	1990 1991
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	1992 1993
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	1994 1995
(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;	1996 1997 1998 1999 2000
(f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.	2001 2002 2003

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

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

"Provisional Ballot Affirmation

(A) Clearly print your full name: _____

(B) Write your date of birth: _____

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

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

Yes _____ No _____

If yes, write your former address: _____

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

(D) Provide one of the following forms of identification:

(1) Write your full Ohio driver's license or state 2031
identification card number: _____ 2032

(2) Write the last four digits of your Social Security 2033
number: _____ 2034

(3) If you did not write your full Ohio driver's license 2035
or state identification card number or the last four digits of 2036
your Social Security number, you must either show one of the 2037
following forms of photo identification to the precinct election 2038
official or execute an affirmation that you do not have or 2039
cannot provide photo identification because you have a religious 2040
objection to being photographed. If you do not check one of the 2041
following boxes affirming the type of identification which 2042
action you showed to the precinct election official took, the 2043
board of elections will conclude that you did not show 2044
identification to your precinct election official and that you 2045
must show identification appear at the office of the board of 2046
elections during the seven days after the election and provide 2047
photo identification, your Ohio driver's license or state 2048
identification card number, or the last four digits of your 2049
Social Security number for your vote to be eligible to be 2050
counted. 2051

_____ ~~A form of I showed photo identification that was~~ 2052
~~issued by the United States government or the State of Ohio,~~ 2053
~~that contains your name and current address (or your former~~ 2054
~~address if the identification is an Ohio driver's license or~~ 2055
~~state identification card), and that has an expiration date that~~ 2056
~~has not passed; to the precinct election official.~~ 2057

_____ ~~A military identification card; or~~ 2058

_____ ~~A current utility bill, bank statement, government~~ 2059

~~check, paycheck, or other government document, other than a~~ 2060
~~notice of voter registration mailed by a board of elections,~~ 2061
~~that contains your name and current address.~~ 2062
I executed an 2062
affirmation that I do not have or cannot provide photo 2063
identification because I have a religious objection to being 2064
photographed. 2065

(4) If you fail to provide identification ~~at this time~~or 2066
to execute an affirmation that you do not have or cannot provide 2067
photo identification because you have a religious objection to 2068
being photographed, you must go to the board of elections on or 2069
before the seventh day following this election to provide a 2070
qualifying form of identification in order for this ballot to 2071
count. 2072

(E) If your right to vote has been challenged, you must 2073
provide any required additional information to the board of 2074
elections on or before the seventh day following this election. 2075

(F) Sign and date the following statement: 2076

I solemnly swear or affirm that I am a citizen of the 2077
United States; that I will be at least 18 years of age at the 2078
time of the general election; that I have lived in this state 2079
for 30 days immediately preceding this election in which I am 2080
voting this ballot; that I am a registered voter in the precinct 2081
in which I am voting this provisional ballot; and that I am 2082
eligible to vote in the election in which I am voting this 2083
provisional ballot. 2084

I understand that, if the information I provide on this 2085
provisional ballot affirmation is not fully completed and 2086
correct, if the board of elections determines that I am not 2087
registered to vote, a resident of this precinct, or eligible to 2088

vote in this election, or if the board of elections determines 2089
that I have already voted in this election, my provisional 2090
ballot will not be counted. I understand that, if I am not 2091
currently registered to vote or if I am not registered at my 2092
current address or under my current name, this form will serve 2093
as an application to register to vote or update my registration 2094
for future elections, as long as I provide all of the 2095
information required to register to vote or update my 2096
registration. I further understand that knowingly providing 2097
false information is a violation of law and subjects me to 2098
possible criminal prosecution. 2099

I hereby declare, under penalty of election falsification, 2100
that the above statements are true and correct to the best of my 2101
knowledge and belief. 2102

_____ 2103

Signature of Voter 2104

_____ 2105

Date 2106

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2107
FELONY OF THE FIFTH DEGREE." 2108

In addition to any information required to be included on 2109
the written affirmation, an individual casting a provisional 2110
ballot may provide additional information to the election 2111
official to assist the board of elections in determining the 2112
individual's eligibility to vote in that election, including the 2113
date and location at which the individual registered to vote, if 2114
known. 2115

If the individual provided all of the information required 2116

under section 3503.14 of the Revised Code to register to vote or 2117
to update the individual's registration on the provisional 2118
ballot affirmation, the board of elections shall consider the 2119
individual's provisional ballot affirmation to also serve as a 2120
notice of change of name, change of residence, or both, or as a 2121
voter registration form, as applicable, for that individual only 2122
for the purposes of future elections. 2123

Sec. 3505.183. (A) When the ballot boxes are delivered to 2124
the board of elections from the precincts, the board shall 2125
separate the provisional ballot envelopes from the rest of the 2126
ballots. Teams of employees of the board consisting of one 2127
member of each major political party shall place the sealed 2128
provisional ballot envelopes in a secure location within the 2129
office of the board. The sealed provisional ballot envelopes 2130
shall remain in that secure location until the validity of those 2131
ballots is determined under division (B) of this section. While 2132
the provisional ballot is stored in that secure location, and 2133
prior to the counting of the provisional ballots, if the board 2134
receives information regarding the validity of a specific 2135
provisional ballot under division (B) of this section, the board 2136
may note, on the sealed provisional ballot envelope for that 2137
ballot, whether the ballot is valid and entitled to be counted. 2138

(B) (1) To determine whether a provisional ballot is valid 2139
and entitled to be counted, the board shall examine its records 2140
and determine whether the individual who cast the provisional 2141
ballot is registered and eligible to vote in the applicable 2142
election. The board shall examine the information contained in 2143
the written affirmation executed by the individual who cast the 2144
provisional ballot under division (B) (2) of section 3505.181 of 2145
the Revised Code. The following information shall be included in 2146
the written affirmation in order for the provisional ballot to 2147

be eligible to be counted: 2148

(a) The individual's printed name, signature, date of 2149
birth, and current address; 2150

(b) A statement that the individual is a registered voter 2151
in the precinct in which the provisional ballot is being voted; 2152

(c) A statement that the individual is eligible to vote in 2153
the election in which the provisional ballot is being voted. 2154

(2) In addition to the information required to be included 2155
in an affirmation under division (B)(1) of this section, in 2156
determining whether a provisional ballot is valid and entitled 2157
to be counted, the board also shall examine any additional 2158
information for determining ballot validity provided by the 2159
provisional voter on the affirmation, provided by the 2160
provisional voter to an election official under section 3505.182 2161
of the Revised Code, or provided to the board of elections 2162
during the seven days after the day of the election under 2163
division (B)(7) of section 3505.181 of the Revised Code, to 2164
assist the board in determining the individual's eligibility to 2165
vote. 2166

(3) If, in examining a provisional ballot affirmation and 2167
additional information under divisions (B)(1) and (2) of this 2168
section and comparing the information required under division 2169
(B)(1) of this section with the elector's information in the 2170
statewide voter registration database, the board determines that 2171
all of the following apply, the provisional ballot envelope 2172
shall be opened, and the ballot shall be placed in a ballot box 2173
to be counted: 2174

(a) The individual named on the affirmation is properly 2175
registered to vote. 2176

(b) The individual named on the affirmation is eligible to 2177
cast a ballot in the precinct and for the election in which the 2178
individual cast the provisional ballot. 2179

(c) The individual provided all of the information 2180
required under division (B)(1) of this section in the 2181
affirmation that the individual executed at the time the 2182
individual cast the provisional ballot. 2183

(d) The last four digits of the elector's social security 2184
number or the elector's Ohio driver's license number or state 2185
identification card number are not different from the last four 2186
digits of the elector's social security number or the elector's 2187
Ohio driver's license number or state identification card number 2188
contained in the statewide voter registration database. 2189

(e) Except as otherwise provided in this division, the 2190
month and day of the elector's date of birth are not different 2191
from the day and month of the elector's date of birth contained 2192
in the statewide voter registration database. 2193

This division does not apply to an elector's provisional 2194
ballot if either of the following is true: 2195

(i) The elector's date of birth contained in the statewide 2196
voter registration database is January 1, 1800. 2197

(ii) The board of elections has found, by a vote of at 2198
least three of its members, that the elector has met all other 2199
requirements of division (B)(3) of this section. 2200

(f) The elector's current address is not different from 2201
the elector's address contained in the statewide voter 2202
registration database, unless the elector indicated that the 2203
elector is casting a provisional ballot because the elector has 2204
moved and has not submitted a notice of change of address, as 2205

described in division (A) (6) of section 3505.181 of the Revised Code. 2206
2207

(g) If applicable, the individual provided any additional 2208
information required under division (B) (7) of section 3505.181 2209
of the Revised Code within seven days after the day of the 2210
election. 2211

(4) (a) Except as otherwise provided in division (D) of 2212
this section, if, in examining a provisional ballot affirmation 2213
and additional information under divisions (B) (1) and (2) of 2214
this section and comparing the information required under 2215
division (B) (1) of this section with the elector's information 2216
in the statewide voter registration database, the board 2217
determines that any of the following applies, the provisional 2218
ballot envelope shall not be opened, and the ballot shall not be 2219
counted: 2220

(i) The individual named on the affirmation is not 2221
qualified or is not properly registered to vote. 2222

(ii) The individual named on the affirmation is not 2223
eligible to cast a ballot in the precinct or for the election in 2224
which the individual cast the provisional ballot. 2225

(iii) The individual did not provide all of the 2226
information required under division (B) (1) of this section in 2227
the affirmation that the individual executed at the time the 2228
individual cast the provisional ballot. 2229

(iv) The individual has already cast a ballot for the 2230
election in which the individual cast the provisional ballot. 2231

(v) If applicable, the individual did not provide any 2232
additional information required under division (B) (7) of section 2233
3505.181 of the Revised Code within seven days after the day of 2234

the election. 2235

(vi) The individual failed to provide ~~a current and valid~~ 2236
~~photo identification, a military identification, a copy of a~~ 2237
~~current utility bill, bank statement, government check,~~ 2238
~~paycheck, or other government document, other than a notice of~~ 2239
~~voter registration mailed by a board of elections under section~~ 2240
~~3503.19 of the Revised Code, with the voter's name and current~~ 2241
~~address,~~ the individual's Ohio driver's license or state 2242
identification card number, or the last four digits of the 2243
individual's social security number or to execute an affirmation 2244
that the individual does not have or cannot provide photo 2245
identification because the individual has a religious objection 2246
to being photographed, or the individual failed to execute an 2247
affirmation under division (B) of section 3505.181 of the 2248
Revised Code. 2249

(vii) The last four digits of the elector's social 2250
security number or the elector's Ohio driver's license number or 2251
state identification card number are different from the last 2252
four digits of the elector's social security number or the 2253
elector's driver's license number or state identification card 2254
number contained in the statewide voter registration database. 2255

(viii) Except as otherwise provided in this division, the 2256
month and day of the elector's date of birth are different from 2257
the day and month of the elector's date of birth contained in 2258
the statewide voter registration database. 2259

This division does not apply to an elector's provisional 2260
ballot if either of the following is true: 2261

(I) The elector's date of birth contained in the statewide 2262
voter registration database is January 1, 1800. 2263

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

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

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

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

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

(C) For each provisional ballot rejected under division (B) (4) of this section, the board shall record the name of the provisional voter who cast the ballot, the identification number of the provisional ballot envelope, the names of the election officials who determined the validity of that ballot, the date and time that the determination was made, and the reason that

the ballot was not counted, unless the board has already 2293
recorded that information in another database. 2294

(D) (1) If an individual cast a provisional ballot in a 2295
precinct in which the individual is not registered and eligible 2296
to vote, but in the correct polling location for the precinct in 2297
which the individual is registered and eligible to vote, and the 2298
election official failed to direct the individual to the correct 2299
precinct, the individual's ballot shall be remade under division 2300
(D) (2) of this section. The election official shall be deemed to 2301
have directed the individual to the correct precinct if the 2302
election official correctly completed the form described in 2303
division (C) (2) of section 3505.181 of the Revised Code. 2304

(2) A board of elections that remakes a provisional ballot 2305
under division (D) (1) of this section shall remake the 2306
provisional ballot on a ballot for the appropriate precinct to 2307
reflect the offices, questions, and issues for which the 2308
individual was eligible to cast a ballot and for which the 2309
individual attempted to cast a provisional ballot. The remade 2310
ballot shall be counted for each office, question, and issue for 2311
which the individual was eligible to vote. 2312

(3) If an individual cast a provisional ballot in a 2313
precinct in which the individual is not registered and eligible 2314
to vote and in the incorrect polling location for the precinct 2315
in which the individual is registered and eligible to vote, the 2316
provisional ballot envelope shall not be opened, and the ballot 2317
shall not be counted. 2318

(E) Provisional ballots that are rejected under division 2319
(B) (4) of this section shall not be counted but shall be 2320
preserved in their provisional ballot envelopes unopened until 2321
the time provided by section 3505.31 of the Revised Code for the 2322

destruction of all other ballots used at the election for which 2323
ballots were provided, at which time they shall be destroyed. 2324

(F) Provisional ballots that the board determines are 2325
eligible to be counted under division (B)(3) or (D) of this 2326
section shall be counted in the same manner as provided for 2327
other ballots under section 3505.27 of the Revised Code. No 2328
provisional ballots shall be counted in a particular county 2329
until the board determines the eligibility to be counted of all 2330
provisional ballots cast in that county under division (B) of 2331
this section for that election. Observers, as provided in 2332
section 3505.21 of the Revised Code, may be present at all times 2333
that the board is determining the eligibility of provisional 2334
ballots to be counted and counting those provisional ballots 2335
determined to be eligible. No person shall recklessly disclose 2336
the count or any portion of the count of provisional ballots in 2337
such a manner as to jeopardize the secrecy of any individual 2338
ballot. 2339

(G)(1) Except as otherwise provided in division (G)(2) of 2340
this section, nothing in this section shall prevent a board of 2341
elections from examining provisional ballot affirmations and 2342
additional information under divisions (B)(1) and (2) of this 2343
section to determine the eligibility of provisional ballots to 2344
be counted during the ten days after the day of an election. 2345

(2) A board of elections shall not examine the provisional 2346
ballot affirmation and additional information under divisions 2347
(B)(1) and (2) of this section of any provisional ballot cast by 2348
an individual who must provide additional information to the 2349
board of elections under division (B)(7) of section 3505.181 of 2350
the Revised Code for the board to determine the individual's 2351
eligibility until the individual provides that information or 2352

until the eleventh day after the day of the election, whichever 2353
is earlier. 2354

Sec. 3506.05. (A) As used in this section: 2355

(1) "Electronic pollbook" means an electronic list of 2356
registered voters for a particular precinct or polling location 2357
that may be transported to a polling location. 2358

(2) Except when used as part of the phrase "tabulating 2359
equipment" or "automatic tabulating equipment," "equipment" 2360
means a voting machine, marking device, automatic tabulating 2361
equipment, software, or an electronic pollbook. 2362

(3) "Vendor" means the person that owns, manufactures, 2363
distributes, or has the legal right to control the use of 2364
equipment, or the person's agent. 2365

(4) "Logic and accuracy testing" means systematic testing, 2366
before, during, and after elections, of every component of a 2367
voting system for each kind of ballot to demonstrate that the 2368
ballots are accurate and that votes cast will be tabulated 2369
properly. 2370

(B) No voting machine, marking device, automatic 2371
tabulating equipment, or software for the purpose of casting or 2372
tabulating votes or for communications among systems involved in 2373
the tabulation, storage, or casting of votes, and no electronic 2374
pollbook, shall be purchased, leased, put in use, or continued 2375
to be used, except for experimental use as provided in division 2376
(B) of section 3506.04 of the Revised Code, unless it, a manual 2377
of procedures governing its use, and training materials, 2378
service, and other support arrangements have been certified by 2379
the secretary of state and unless the board of elections of each 2380
county where the equipment will be used has assured that a 2381

demonstration of the use of the equipment has been made 2382
available to all interested electors. The secretary of state 2383
shall appoint a board of voting machine examiners to examine and 2384
approve equipment and its related manuals and support 2385
arrangements. The board shall consist of four members, who shall 2386
be appointed as follows: 2387

(1) Two members appointed by the secretary of state; 2388

(2) One member appointed by either the speaker of the 2389
house of representatives or the minority leader of the house of 2390
representatives, whichever is a member of the opposite political 2391
party from the one to which the secretary of state belongs; 2392

(3) One member appointed by either the president of the 2393
senate or the minority leader of the senate, whichever is a 2394
member of the opposite political party from the one to which the 2395
secretary of state belongs. 2396

In all cases of a tie vote or a disagreement in the board, 2397
if no decision can be arrived at, the board shall submit the 2398
matter in controversy to the secretary of state, who shall 2399
summarily decide the question, and the secretary of state's 2400
decision shall be final. Each member of the board shall be a 2401
competent and experienced election officer or a person who is 2402
knowledgeable about the operation of voting equipment and shall 2403
serve during the secretary of state's term. Any vacancy on the 2404
board shall be filled in the same manner as the original 2405
appointment. The secretary of state shall provide staffing 2406
assistance to the board, at the board's request. 2407

For the member's service, each member of the board shall 2408
receive three hundred dollars per day for each combination of 2409
marking device, tabulating equipment, voting machine, or 2410

electronic pollbook examined and reported, but in no event shall 2411
a member receive more than six hundred dollars to examine and 2412
report on any one marking device, item of tabulating equipment, 2413
voting machine, or electronic pollbook. Each member of the board 2414
shall be reimbursed for expenses the member incurs during an 2415
examination or during the performance of any related duties that 2416
may be required by the secretary of state. Reimbursement of 2417
these expenses shall be made in accordance with, and shall not 2418
exceed, the rates provided for under section 126.31 of the 2419
Revised Code. 2420

Neither the secretary of state nor the board, nor any 2421
public officer who participates in the authorization, 2422
examination, testing, or purchase of equipment, shall have any 2423
pecuniary interest in the equipment or any affiliation with the 2424
vendor. 2425

(C) (1) A vendor who desires to have the secretary of state 2426
certify equipment shall first submit the equipment, all current 2427
related procedural manuals, and a current description of all 2428
related support arrangements to the board of voting machine 2429
examiners for examination, testing, and approval. The submission 2430
shall be accompanied by a fee of two thousand four hundred 2431
dollars and a detailed explanation of the construction and 2432
method of operation of the equipment, a full statement of its 2433
advantages, and a list of the patents and copyrights used in 2434
operations essential to the processes of vote recording and 2435
tabulating, vote storage, system security, pollbook storage and 2436
security, and other crucial operations of the equipment as may 2437
be determined by the board. An additional fee, in an amount to 2438
be set by rules promulgated by the board, may be imposed to pay 2439
for the costs of alternative testing or testing by persons other 2440
than board members, record-keeping, and other extraordinary 2441

costs incurred in the examination process. Moneys not used shall 2442
be returned to the person or entity submitting the equipment for 2443
examination. 2444

(2) Fees collected by the secretary of state under this 2445
section shall be deposited into the state treasury to the credit 2446
of the board of voting machine examiners fund, which is hereby 2447
created. All moneys credited to this fund shall be used solely 2448
for the purpose of paying for the services and expenses of each 2449
member of the board or for other expenses incurred relating to 2450
the examination, testing, reporting, or certification of 2451
equipment, the performance of any related duties as required by 2452
the secretary of state, or the reimbursement of any person 2453
submitting an examination fee as provided in this chapter. 2454

(D) Within sixty days after the submission of the 2455
equipment and payment of the fee, or as soon thereafter as is 2456
reasonably practicable, but in any event within not more than 2457
ninety days after the submission and payment, the board of 2458
voting machine examiners shall examine the equipment and file 2459
with the secretary of state a written report on the equipment 2460
with its recommendations and, if applicable, its determination 2461
or condition of approval regarding whether the equipment, 2462
manual, and other related materials or arrangements meet the 2463
criteria set forth in sections 3506.07 and 3506.10 of the 2464
Revised Code and can be safely used by the voters at elections 2465
under the conditions prescribed in Title XXXV of the Revised 2466
Code, or a written statement of reasons for which testing 2467
requires a longer period. The board may grant temporary approval 2468
for the purpose of allowing experimental use of equipment. If 2469
the board finds that the equipment meets any applicable criteria 2470
set forth in sections 3506.06, 3506.07, and 3506.10 of the 2471
Revised Code, can be used safely and, if applicable, can be 2472

depended upon to record and count accurately and continuously 2473
the votes of electors, and has the capacity to be warranted, 2474
maintained, and serviced, it shall approve the equipment and 2475
recommend that the secretary of state certify the equipment. The 2476
secretary of state shall notify all boards of elections of any 2477
such certification. Equipment of the same model and make, if it 2478
operates in an identical manner, may then be adopted for use at 2479
elections. 2480

(E) The vendor shall notify the secretary of state, who 2481
shall then notify the board of voting machine examiners, of any 2482
enhancement and any significant adjustment to the hardware or 2483
software that could result in a patent or copyright change or 2484
that significantly alters the methods of recording voter intent, 2485
system security, voter privacy, retention of the vote, 2486
communication of records, and connections between the system and 2487
other systems. The vendor shall provide the secretary of state 2488
with an updated operations manual for the equipment, and the 2489
secretary of state shall forward the manual to the board. Upon 2490
receiving such a notification and manual, the board may require 2491
the vendor to submit the equipment to an examination and test in 2492
order for the equipment to remain certified. The board or the 2493
secretary of state shall periodically examine, test, and inspect 2494
certified equipment to determine continued compliance with the 2495
requirements of this chapter and the initial certification. Any 2496
examination, test, or inspection conducted for the purpose of 2497
continuing certification of any equipment in which a significant 2498
problem has been uncovered or in which a record of continuing 2499
problems exists shall be performed pursuant to divisions (C) and 2500
(D) of this section, in the same manner as the examination, 2501
test, or inspection is performed for initial approval and 2502
certification. 2503

(F) If, at any time after the certification of equipment, 2504
the board of voting machine examiners or the secretary of state 2505
is notified by a board of elections of any significant problem 2506
with the equipment or determines that the equipment fails to 2507
meet the requirements necessary for approval or continued 2508
compliance with the requirements of this chapter, or if the 2509
board of voting machine examiners determines that there are 2510
significant enhancements or adjustments to the hardware or 2511
software, or if notice of such enhancements or adjustments has 2512
not been given as required by division (E) of this section, the 2513
secretary of state shall notify the users and vendors of that 2514
equipment that certification of the equipment may be withdrawn. 2515

(G) (1) The notice given by the secretary of state under 2516
division (F) of this section shall be in writing and shall 2517
specify both of the following: 2518

(a) The reasons why the certification may be withdrawn; 2519

(b) The date on which certification will be withdrawn 2520
unless the vendor takes satisfactory corrective measures or 2521
explains why there are no problems with the equipment or why the 2522
enhancements or adjustments to the equipment are not 2523
significant. 2524

(2) A vendor who receives a notice under division (F) of 2525
this section shall, within thirty days after receiving it, 2526
submit to the board of voting machine examiners in writing a 2527
description of the corrective measures taken and the date on 2528
which they were taken, or the explanation required under 2529
division (G) (1) (b) of this section. 2530

(3) Not later than fifteen days after receiving a written 2531
description or explanation under division (G) (2) of this section 2532

from a vendor, the board shall determine whether the corrective 2533
measures taken or the explanation is satisfactory to allow 2534
continued certification of the equipment, and the secretary of 2535
state shall send the vendor a written notice of the board's 2536
determination, specifying the reasons for it. If the board has 2537
determined that the measures taken or the explanation given is 2538
unsatisfactory, the notice shall include the effective date of 2539
withdrawal of the certification. This date may be different from 2540
the date originally specified in division (G) (1) (b) of this 2541
section. 2542

(4) A vendor who receives a notice under division (G) (3) 2543
of this section indicating a decision to withdraw certification 2544
may, within thirty days after receiving it, request in writing 2545
that the board hold a hearing to reconsider its decision. Any 2546
interested party shall be given the opportunity to submit 2547
testimony or documentation in support of or in opposition to the 2548
board's recommendation to withdraw certification. Failure of the 2549
vendor to take appropriate steps as described in division (G) (1) 2550
(b) or to comply with division (G) (2) of this section results in 2551
a waiver of the vendor's rights under division (G) (4) of this 2552
section. 2553

(H) (1) The secretary of state, in consultation with the 2554
board of voting machine examiners, shall establish, by rule, 2555
guidelines for the approval, certification, and continued 2556
certification of the voting machines, marking devices, 2557
tabulating equipment, and electronic pollbooks to be used under 2558
Title XXXV of the Revised Code. The guidelines shall establish 2559
procedures requiring vendors or computer software developers to 2560
place in escrow with an independent escrow agent approved by the 2561
secretary of state a copy of all object code and source code and 2562
related documentation, together with periodic updates as they 2563

become known or available. Both codes shall be made available 2564
for public inspection and testing, but not for copying or reuse. 2565
The secretary of state shall require that the documentation 2566
include a system configuration and that the object code and 2567
source code include all relevant program statements in low- or 2568
high-level languages. No nondisclosure agreement entered into 2569
after the effective date of this amendment shall prohibit the 2570
statements from being made available for public inspection. As 2571
used in this division, "source code" does not include variable 2572
codes created for specific elections. The guidelines also shall 2573
ensure all logic and accuracy testing is undeviating and uniform 2574
for each kind of ballot, and that all testing results are 2575
reported to the secretary of state. 2576

(2) Nothing in any rule adopted under division (H) of this 2577
section shall be construed to limit the ability of the secretary 2578
of state to follow or adopt, or to preclude the secretary of 2579
state from following or adopting, any guidelines proposed by the 2580
federal election commission, any entity authorized by the 2581
federal election commission to propose guidelines, the election 2582
assistance commission, or any entity authorized by the election 2583
assistance commission to propose guidelines. 2584

(3) (a) Before the initial certification of any direct 2585
recording electronic voting machine with a voter verified paper 2586
audit trail, and as a condition for the continued certification 2587
and use of those machines, the secretary of state shall 2588
establish, by rule, standards for the certification of those 2589
machines. Those standards shall include, but are not limited to, 2590
all of the following: 2591

(i) A definition of a voter verified paper audit trail as 2592
a paper record of the voter's choices that is verified by the 2593

voter prior to the casting of the voter's ballot and that is 2594
securely retained by the board of elections; 2595

(ii) Requirements that the voter verified paper audit 2596
trail shall not be retained by any voter and shall not contain 2597
individual voter information; 2598

(iii) A prohibition against the production by any direct 2599
recording electronic voting machine of anything that legally 2600
could be removed by the voter from the polling place, such as a 2601
receipt or voter confirmation; 2602

(iv) A requirement that paper used in producing a voter 2603
verified paper audit trail be sturdy, clean, and resistant to 2604
degradation; 2605

(v) A requirement that the voter verified paper audit 2606
trail shall be capable of being optically scanned for the 2607
purpose of conducting a recount or other audit of the voting 2608
machine and shall be readable in a manner that makes the voter's 2609
ballot choices obvious to the voter without the use of computer 2610
or electronic codes; 2611

(vi) A requirement, for office-type ballots, that the 2612
voter verified paper audit trail include the name of each 2613
candidate selected by the voter; 2614

(vii) A requirement, for questions and issues ballots, 2615
that the voter verified paper audit trail include the title of 2616
the question or issue, the name of the entity that placed the 2617
question or issue on the ballot, and the voter's ballot 2618
selection on that question or issue, but not the entire text of 2619
the question or issue. 2620

(b) The secretary of state, by rule adopted under Chapter 2621
119. of the Revised Code, may waive the requirement under 2622

division (H) (3) (a) (v) of this section, if the secretary of state 2623
determines that the requirement is cost prohibitive. 2624

(4) (a) Except as otherwise provided in divisions (H) (4) (b) 2625
and (c) of this section, any voting machine, marking device, or 2626
automatic tabulating equipment used in this state shall meet, as 2627
a condition of continued certification and use, the voting 2628
system standards adopted by the federal election commission in 2629
2002 or the voluntary voting system guidelines most recently 2630
adopted by the federal election assistance commission. A voting 2631
machine, marking device, or automatic tabulating equipment 2632
initially certified or acquired on or after December 1, 2008, 2633
also shall have the most recent federal certification number 2634
issued by the election assistance commission. 2635

(b) Division (H) (4) (a) of this section does not apply to 2636
any voting machine, marking device, or automatic tabulating 2637
equipment that the federal election assistance commission does 2638
not certify as part of its testing and certification program. 2639

(c) A county that acquires additional voting machines, 2640
marking devices, or automatic tabulating equipment on or after 2641
December 1, 2008, shall not be considered to have acquired those 2642
machines, devices, or equipment on or after December 1, 2008, 2643
for the purpose of division (H) (4) (a) of this section if all of 2644
the following apply: 2645

(i) The voting machines, marking devices, or automatic 2646
tabulating equipment acquired are the same as the machines, 2647
devices, or equipment currently used in that county. 2648

(ii) The acquisition of the voting machines, marking 2649
devices, or automatic tabulating equipment does not replace or 2650
change the primary voting system used in that county. 2651

(iii) The acquisition of the voting machines, marking 2652
devices, or automatic tabulating equipment is for the purpose of 2653
replacing inoperable machines, devices, or equipment or for the 2654
purpose of providing additional machines, devices, or equipment 2655
required to meet the allocation requirements established 2656
pursuant to division (I) of section 3501.11 of the Revised Code. 2657

Sec. 3506.07. No automatic tabulating equipment shall be 2658
approved by the board of voting machine examiners or certified 2659
by the secretary of state, or be purchased, rented, or otherwise 2660
acquired, or used, unless it has been or is capable of being 2661
manufactured for use and distribution beyond a prototype and can 2662
be set by election officials, to examine ballots and to count 2663
votes accurately for each candidate, question, and issue, 2664
excluding any ballots marked contrary to the instructions 2665
printed on such ballots, provided that such equipment shall not 2666
be required to count write-in votes or the votes on any ballots 2667
that have been voted other than at the regular polling place on 2668
election day. 2669

All automatic tabulating equipment shall print a date and 2670
time stamp on every ballot upon scanning in order to prevent 2671
repeat scanning of the same ballot. 2672

Sec. 3506.10. No voting machine shall be approved by the 2673
board of voting machine examiners or certified by the secretary 2674
of state, or be purchased, rented, or otherwise acquired, or 2675
used, except when specifically allowed for experimental use, as 2676
provided in section 3506.04 of the Revised Code, unless it 2677
fulfills the following requirements: 2678

(A) It shall permit and require voting in absolute 2679
secrecy, and shall be so constructed that no person can see or 2680
know for whom any other elector has voted or is voting, except 2681

an elector who is assisting a voter as prescribed by section 2682
3505.24 of the Revised Code. 2683

(B) It shall permit each elector to vote at any election 2684
for all persons and offices for whom and for which the elector 2685
is lawfully entitled to vote, whether or not the name of any 2686
such person appears on a ballot label as a candidate; to vote 2687
for as many persons for an office as the elector is entitled to 2688
vote for; and to vote for or against any question upon which the 2689
elector is entitled to vote. 2690

(C) It shall preclude each elector from voting for any 2691
candidate or upon any question for whom or upon which the 2692
elector is not entitled to vote, from voting for more persons 2693
for any office than the elector is entitled to vote for, and 2694
from voting for any candidates for the same office or upon any 2695
question more than once. 2696

(D) It shall permit each voter to deposit, write in, or 2697
affix, upon devices provided for that purpose, ballots 2698
containing the names of persons for whom the voter desires to 2699
vote, whose names do not appear upon the voting machine. Those 2700
devices shall be susceptible of identification as to party 2701
affiliations when used at a primary election. 2702

(E) It shall permit each elector to change the elector's 2703
vote for any candidate or upon any question appearing upon the 2704
ballot labels, up to the time the elector starts to register the 2705
elector's vote. 2706

(F) It shall permit each elector, at all presidential 2707
elections, by one device to vote for candidates of one party for 2708
president, vice-president, and presidential electors. 2709

(G) It shall be capable of adjustment by election officers 2710

so as to permit each elector, at a primary election, to vote 2711
only for the candidates of the party with which the elector has 2712
declared the elector's affiliation and shall preclude the 2713
elector from voting for any candidate seeking nomination by any 2714
other political party; and to vote for the candidates for 2715
nonpartisan nomination or election. 2716

(H) It shall have separate voting devices for candidates 2717
and questions, which shall be arranged in separate rows or 2718
columns. It shall be so arranged that one or more adjacent rows 2719
or columns may be assigned to the candidates of each political 2720
party at primary elections. 2721

(I) It shall have a counter, or other device, the register 2722
of which is visible from the outside of the machine, and which 2723
will show at any time during the voting the total number of 2724
electors who have voted; and also a protective counter, or other 2725
device, the register of which cannot be reset, which will record 2726
the cumulative total number of movements of the internal 2727
counters. 2728

(J) It shall be provided with locks and seals by the use 2729
of which, immediately after the polls are closed or the 2730
operation of the machine for an election is completed, no 2731
further changes to the internal counters can be allowed. 2732

(K) It shall have the capacity to contain the names of 2733
candidates constituting the tickets of at least five political 2734
parties, and independent groups and such number of questions not 2735
exceeding fifteen as the secretary of state shall specify. 2736

(L) It shall be durably constructed of material of good 2737
quality in a neat and workerlike manner, and in form that shall 2738
make it safely transportable. 2739

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

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

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

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

(Q) It shall be manufactured in the United States, and any
software or hardware shall be developed in the United States,
and neither shall be produced or developed by, or associated
with, foreign-owned corporations.

(R) It shall permit both its software object code and
source code on all electronic equipment to be available for
public inspection, but not for copying or reuse.

(S) On and after January 1, 2023, all electronic equipment
shall utilize blockchain technology, in addition to paper
ballots and independent of any internet connection, to create an
unalterable electronic record of votes cast, which shall employ

software whose object codes and source codes are available for 2769
public inspection, but not for copying or reuse. Such equipment 2770
shall not be capable of connecting to the internet. 2771

Before any voting machine is purchased, rented, or 2772
otherwise acquired, or used, the person or corporation owning or 2773
manufacturing that machine or having the legal right to control 2774
the use of that machine shall give an adequate guarantee in 2775
writing and post a bond in an amount sufficient to cover the 2776
cost of any recount or new election resulting from or directly 2777
related to the use or malfunction of the equipment, accompanied 2778
by satisfactory surety, all as determined by the secretary of 2779
state, with the board of county commissioners, guaranteeing and 2780
securing that those machines have been and continue to be 2781
certified by the secretary of state in accordance with section 2782
3506.05 of the Revised Code, comply fully with the requirements 2783
of this section, and will correctly, accurately, and 2784
continuously register and record every vote cast, and further 2785
guaranteeing those machines against defects in workmanship and 2786
materials for a period of five years from the date of their 2787
acquisition. 2788

Sec. 3506.14. (A) ~~Prior to~~ Before, during, and after each 2789
election, the board of elections shall conduct systematic logic 2790
and accuracy testing of every component of every voting machine, 2791
marking device, or piece of automatic tabulating equipment for 2792
each kind of ballot to be used in the election to demonstrate 2793
that the ballots are accurate and that votes cast will be 2794
tabulated properly, and shall test and audit the variable codes 2795
applicable to that election to verify the accuracy of any 2796
computer program that will be used for tallying the ballot cards 2797
for each precinct in which an election will be held. The board 2798
of elections shall report all results to the secretary of state. 2799

The computer programs, including software object code and source code, and any program implementing blockchain technology, shall be made available for public inspection immediately upon installation of the machine or equipment implementing the software or program. 2800
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(B) Prior to the start of the count of the ballots, the board of elections shall have the voting machine or automatic tabulating equipment tested to ascertain that it will accurately count the votes cast for all offices and on all questions and issues. Public notice of the time and place of the test shall be given by proclamation or posting as in the case of notice of elections. The test shall be conducted by processing a pre-audited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each question and issue, and shall include for each office one or more ballots that have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject those votes. In that test a different number of valid votes shall be assigned to each candidate for an office, and for and against each question and issue. If an error is detected, the cause for the error shall be ascertained and corrected and an errorless count shall be made and certified to by the board before the count is started. The tabulating equipment shall pass the same test at the beginning and conclusion of the election day count before the election returns are approved as official. On completion of the election day count, the programs, test materials, and ballots shall be sealed and retained as provided for paper ballots in section 3505.31 of the Revised Code. 2805
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Sec. 3506.17. All formatting or coding of voting machines, marking devices, automatic tabulating equipment, software, electronic pollbooks, or ballots shall be done by a bipartisan 2828
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team of election officials in the county. 2831

Sec. 3506.21. (A) As used in this section, "optical scan ballot" means a ballot that is marked by using a specified writing instrument to fill in a designated position to record a voter's candidate, question, or issue choice and that can be scanned and electronically read in order to tabulate the vote. 2832
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(B) (1) In addition to marks that can be scanned and electronically read by automatic tabulating equipment, any of the following marks, if a majority of those marks are made in a consistent manner throughout an optical scan ballot, shall be counted as a valid vote: 2837
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(a) A candidate, question, or issue choice that has been circled by the voter; 2842
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(b) An oval beside the candidate, question, or issue choice that has been circled by the voter; 2844
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(c) An oval beside the candidate, question, or issue choice that has been marked by the voter with an "x," a check mark, or other recognizable mark; 2846
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(d) A candidate, question, or issue choice that has been marked with a writing instrument that cannot be recognized by automatic tabulating equipment. 2849
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(2) Marks made on an optical scan ballot in accordance with division (B) (1) of this section shall be counted as valid votes only if that optical scan ballot contains no marks that can be scanned and electronically read by automatic tabulating equipment. 2852
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(3) If automatic tabulating equipment detects that more marks were made on an optical scan ballot for a particular 2857
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office, question, or issue than the number of selections that a 2859
voter is allowed by law to make for that office, question, or 2860
issue, the voter's ballot shall be invalidated for that office, 2861
question, or issue. The ballot shall not be invalidated for any 2862
other office, question, or issue for which the automatic 2863
tabulating equipment detects a vote to have been cast, in 2864
accordance with the law. 2865

(C) The secretary of state may adopt rules under Chapter 2866
119. of the Revised Code to authorize additional types of 2867
optical scan ballots and to specify the types of marks on those 2868
ballots that shall be counted as a valid vote to ensure 2869
consistency in the counting of ballots throughout the state. The 2870
rules shall clearly identify the different types of markings 2871
commonly found on errant in-person ballots and provide clear, 2872
acceptable means of interpretation. 2873

(D) (1) A board of elections of a county that uses optical 2874
scan ballots and automatic tabulating equipment as the primary 2875
voting system for the county shall not tabulate the unofficial 2876
results of optical scan ballots voted on election day at a 2877
central location. 2878

(2) A board of elections that provides for the tabulation 2879
at each precinct of voted ballots, and then, at a central 2880
location, combines those precinct ballot totals with ballot 2881
totals from other precincts, including optical scan ballots 2882
voted by absent voters, shall not be considered to be tabulating 2883
the unofficial results of optical scan ballots at a central 2884
location for the purpose of division (D) (1) of this section. 2885

Sec. 3506.23. A—All electronic equipment consisting of: 2886
electronic registration systems, electronic poll books, 2887
electronic automated tabulating equipment, electronic high-speed 2888

scanners, electronic voting machine-machines, electronic 2889
software, electronic marking devices, and any other electronic 2890
equipment used in any phase of voting shall not be connected to 2891
the internet. Vendors, in their equipment manuals and 2892
application materials for certification, are required to show 2893
proof that their systems cannot be connected to the internet. 2894
Failure to so demonstrate shall result in a denial of 2895
certification. 2896

Sec. 3509.01. (A) The board of elections of each county 2897
shall provide absent voter's ballots for use at every primary 2898
and general election, or special election to be held on the day 2899
specified by division (E) of section 3501.01 of the Revised Code 2900
for the holding of a primary election, designated by the general 2901
assembly for the purpose of submitting constitutional amendments 2902
proposed by the general assembly to the voters of the state. 2903
Those ballots shall be the same size, shall be printed on the 2904
same kind of paper, and shall be in the same form as has been 2905
approved for use at the election for which those ballots are to 2906
be voted; except that, in counties using marking devices, ballot 2907
cards may be used for absent voter's ballots, and those absent 2908
voters shall be instructed to record the vote in the manner 2909
provided on the ballot cards. 2910

(B) The rotation of names of candidates and questions and 2911
issues shall be substantially complied with on absent voter's 2912
ballots, within the limitation of time allotted. Those ballots 2913
shall be designated as "Absent Voter's Ballots." Except as 2914
otherwise provided in division (D) of this section, those 2915
ballots shall be printed and ready for use as follows: 2916

(1) For overseas voters and absent uniformed services 2917
voters eligible to vote under the Uniformed and Overseas 2918

Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 2919
42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed 2920
and ready for use other than in person on the forty-sixth day 2921
before the day of the election. 2922

(2) For all other voters, ~~other than overseas voters and~~ 2923
~~absent uniformed services voters, who are applying to vote~~ 2924
~~absent voter's ballots other than in person,~~ ballots shall be 2925
printed and ready for use on the first day after the close of 2926
voter registration before the election. 2927

~~(3) For all voters who are applying to vote absent voter's~~ 2928
~~ballots in person, ballots shall be printed and ready for use~~ 2929
~~beginning on the first day after the close of voter registration~~ 2930
~~before the election.~~ 2931

~~If, at the time for the close of in person absent voting~~ 2932
~~on a particular day, there are voters waiting in line to cast~~ 2933
~~their ballots, the in person absent voting location shall be~~ 2934
~~kept open until such waiting voters have cast their absent~~ 2935
~~voter's ballots.~~ 2936

(C) Absent voter's ballots provided for use at a general 2937
or primary election, or special election to be held on the day 2938
specified by division (E) of section 3501.01 of the Revised Code 2939
for the holding of a primary election, designated by the general 2940
assembly for the purpose of submitting constitutional amendments 2941
proposed by the general assembly to the voters of the state, 2942
shall include only those questions, issues, and candidacies that 2943
have been lawfully ordered submitted to the electors voting at 2944
that election. 2945

(D) If the laws governing the holding of a special 2946
election on a day other than the day on which a primary or 2947

general election is held make it impossible for absent voter's 2948
ballots to be printed and ready for use by the deadlines 2949
established in division (B) of this section, absent voter's 2950
ballots for those special elections shall be ready for use as 2951
many days before the day of the election as reasonably possible 2952
under the laws governing the holding of that special election. 2953

(E) A copy of the absent voter's ballots shall be 2954
forwarded by the director of the board in each county to the 2955
secretary of state at least twenty-five days before the 2956
election. 2957

Sec. 3509.02. (A) Any qualified elector to whom any of the 2958
following applies may ~~vote by~~ cast absent voter's ballots by 2959
mail at an election; 2960

(1) The elector has a physical disability, illness, or 2961
infirmity that prevents the elector from casting an absent 2962
voter's ballot in person or voting on the day of an election. 2963

(2) The elector will be absent from the county in which 2964
the elector's voting residence is located during the time an 2965
elector may cast an absent voter's ballot in person or on the 2966
day of an election. 2967

(3) The elector is confined in a jail or workhouse under 2968
sentence for a misdemeanor or is awaiting trial on a felony or 2969
misdemeanor charge during the time an elector may cast an absent 2970
voter's ballot in person or on the day of an election. 2971

(4) The elector has a confidential voter registration 2972
record, as described in section 111.44 of the Revised Code. 2973

(B) Any qualified elector who is unable to appear at the 2974
office of the board of elections or, if pursuant to division (C) 2975
of section 3501.10 of the Revised Code the board has designated 2976

another location in the county at which registered electors may 2977
vote, at that other location on account of personal illness, 2978
physical disability, or infirmity, and who moves from one 2979
precinct to another within a county, changes the elector's name 2980
and moves from one precinct to another within a county, or moves 2981
from one county to another county within the state, on or prior 2982
to the day of a general, primary, or special election and has 2983
not filed a notice of change of residence or change of name may 2984
~~vote by cast~~ absent voter's ballots by mail in that election as 2985
specified in division (G) of section 3503.16 of the Revised 2986
Code. 2987

(C) Any qualified elector may cast absent voter's ballots 2988
at an election in person at the office of the board of 2989
elections, as described in section 3509.051 of the Revised Code. 2990

Sec. 3509.03. (A) (1) Except as otherwise provided in 2991
division (A) (2) and (B) of this section and division (B) of 2992
section 3509.08 of the Revised Code, any qualified elector 2993
desiring to ~~vote receive~~ absent voter's ballots ~~at for~~ an 2994
election ~~by mail~~ shall ~~make written complete the~~ application 2995
prescribed by the secretary of state for those ballots to the 2996
~~director board~~ of elections of the county in which the elector's 2997
voting residence is located. ~~The application prescribed by the~~ 2998
~~secretary of state shall be the only accepted application for~~ 2999
~~absent voter's ballots. The secretary of state or a board of~~ 3000
~~elections shall not accept any other application for absent~~ 3001
~~voter's ballots.~~ 3002

(2) The secretary of state and board of elections shall 3003
accept a federal post card application in accordance with 3004
section 3511.02 of the Revised Code. 3005

(B) Except as otherwise provided in division (C) and (D) 3006

of this section, ~~the~~an elector that wishes to make the elector's 3007
own application ~~need not be in any particular form but shall~~ 3008
~~contain~~ that is not on any provided form may do so, and have it 3009
accepted by the secretary of state or board of elections, so 3010
long as the application contains all of the following: 3011

(1) The elector's name; 3012

(2) The elector's signature; 3013

(3) The address at which the elector is registered to 3014
vote; 3015

(4) The elector's date of birth; 3016

~~(5) One of the following:~~ 3017

(a) The elector's photo identification or a United States 3018
passport that is not expired, if the elector will be marking 3019
absent voter's ballots in person at the office of the board of 3020
elections; 3021

(b) If the elector will not be marking the ballots in 3022
person, all of the following: 3023

(i) The elector's Ohio driver's license or state 3024
identification card number and the expiration date of the 3025
driver's license or state identification card; 3026

~~(b)-(ii)~~ The last four digits of the elector's social 3027
security number; 3028

~~(e)-(iii)~~ A copy of the front and back of an elector's 3029
current and valid photo identification, a copy of a military 3030
identification, or a copy of a current utility bill, bank 3031
statement, government check, paycheck, or other government 3032
document, other than a notice of voter registration mailed by a 3033

~~board of elections under section 3503.19 of the Revised Code,~~ 3034
~~that shows the name and address of the elector.~~ 3035

(6) A statement identifying the election for which absent voter's ballots are requested; 3036
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(7) A statement that the person requesting the ballots is a qualified elector; 3038
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(8) If the request is for primary election ballots, the elector's party affiliation; 3040
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(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed; 3042
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(10) The reason, as permitted under division (A) of section 3509.02 of the Revised Code, that the elector qualifies to cast absent voter's ballots by mail. 3044
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(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. 3047
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(D) Each application for absent voter's ballots shall be delivered to the ~~director~~ office of the board not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day before the day of the election at which the ballots are to be voted, or not later than six p.m. on the last Friday before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board. 3052
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(E) A board of elections that mails an absent voter's ballot application to an elector under this section shall not prepay the return postage for that application.

(F) Except as otherwise provided in this section and 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 on behalf of an applicant. The secretary of state or a board of elections ~~may shall not~~ preprint ~~only~~ an applicant's name ~~and~~ address, or any other personal information specific to the applicant on an application for absent voter's ballots before mailing that application to the applicant, ~~except that if the applicant has a confidential voter registration record, the secretary of state or a board of elections shall not preprint the applicant's address on the application.~~

Sec. 3509.031. (A) The secretary of state, any board of elections, any public office, or any public official or employee who is acting in an official or unofficial capacity is prohibited from mailing unsolicited applications for absent voter's ballots to any individual or group for any election.

(B) The secretary of state, any board of elections, any public office, or any public official or employee acting in an official or unofficial capacity is prohibited from mailing or otherwise providing unsolicited absent voter's ballots to any individual or group for any election.

(C) A political party, nongovernmental person or entity, corporate entity, individual, or private organization is prohibited from mailing or otherwise providing unsolicited absent voter's ballots to any individual or group for any election.

Sec. 3509.04. (A) If a ~~director of a~~ board of elections 3092
receives an application for absent voter's ballots under section 3093
3503.16, 3509.03, or 3509.08 of the Revised Code that does not 3094
contain all of the required information, the ~~director board~~ 3095
promptly shall notify the applicant in writing of the additional 3096
information required to be provided by the applicant to complete 3097
that application. 3098

(B) ~~Upon~~ Except as otherwise provided in section 3509.08 3099
of the Revised Code, upon receipt by the ~~director board~~ of 3100
elections of an application for absent voter's ballots under 3101
section 3503.16, 3509.03, or 3509.08 of the Revised Code that 3102
contains all of the required information, ~~as provided by section~~ 3103
~~3509.03 and division (G) of section 3503.16 of the Revised Code,~~ 3104
the ~~director board~~, if the ~~director board~~ finds that the 3105
applicant is a qualified elector, shall ~~deliver to the applicant~~ 3106
~~in person or~~ mail directly to the applicant by special delivery 3107
mail, air mail, or regular mail, postage prepaid, proper absent 3108
voter's ballots. The ~~director board~~ shall ~~deliver or~~ mail with 3109
the ballots an unsealed identification envelope upon the face of 3110
which shall be printed a form substantially as follows: 3111

"Identification Envelope Statement of Voter 3112

I, _____ (Name of voter), declare under 3113
penalty of election falsification that the within ballot or 3114
ballots contained no voting marks of any kind when I received 3115
them, and I caused the ballot or ballots to be marked, enclosed 3116
in the identification envelope, and sealed in that envelope. 3117

My voting residence in Ohio is 3118

_____ 3119

(Street and Number, if any, or Rural Route and Number) 3120

of _____ (City, Village, or Township) 3121
Ohio, which is in Ward _____ Precinct _____ 3122
in that city, village, or township. 3123

If I have a confidential voter registration record, I am 3124
providing my program participant identification number instead 3125
of my residence address: _____ 3126

The primary election ballots, if any, within this envelope 3127
are primary election ballots of the _____ Party. 3128

Ballots contained within this envelope are to be voted at 3129
the _____ (general, special, or primary) election to be 3130
held on the _____ day of 3131
_____, _____. 3132

My date of birth is _____ (Month and Day), 3133
_____ (Year). 3134

~~(Voter must provide~~ 3135

_____ If I am marking these ballots in person at the 3136
office of the board of elections, I have provided photo 3137
identification or a United States passport that is not expired 3138
to the election officials. 3139

_____ If I am marking these ballots other than in person, 3140
I have provided ~~one~~ all of the following:} 3141

My Ohio driver's license or state identification card 3142
number is _____ (Driver's license or state 3143
identification card number) and the expiration date is 3144
_____ (expiration date of the driver's license or state 3145
identification card). 3146

The last four digits of my Social Security Number are 3147
_____ (Last four digits of Social Security Number). 3148

~~_____ In lieu of providing a driver's license number or
the last four digits of my Social Security Number, I am
enclosing a A copy of one of the following the front and back of
a photo identification in the return envelope in which this
identification envelope will be mailed: a current and valid
photo identification, a military identification, or 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, that shows my name
and address.~~

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

(Signature of Voter)

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

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

A board of elections that mails or otherwise delivers
absent voter's ballots to an elector under this section shall
not prepay the return postage for those ballots.

Except as otherwise provided in this section and in 3178
sections 3505.24 and 3509.08 of the Revised Code, an election 3179
official shall not fill out any portion of an identification 3180
envelope statement of voter or an absent voter's ballot on 3181
behalf of an elector. A board of elections ~~may~~ shall not 3182
preprint only an elector's name and, address, or any other 3183
personal information specific to the elector on an 3184
identification envelope statement of voter before mailing absent 3185
voter's ballots to the elector, ~~except that if the elector has a~~ 3186
~~confidential voter registration record, as described in section~~ 3187
~~111.44 of the Revised Code, the board of elections shall not~~ 3188
~~preprint the elector's address on the identification envelope~~ 3189
~~statement of voter.~~ 3190

Sec. 3509.05. (A) When an elector receives an absent 3191
voter's ballot pursuant to the elector's application or request, 3192
the elector shall, before placing any marks on the ballot, note 3193
whether there are any voting marks on it. If there are any 3194
voting marks, the ballot shall be returned immediately to the 3195
board of elections; otherwise, the elector shall cause the 3196
ballot to be marked, folded in a manner that the stub on it and 3197
the indorsements and facsimile signatures of the members of the 3198
board of elections on the back of it are visible, and placed and 3199
sealed within the identification envelope received from the 3200
director of elections for that purpose. Then, the elector shall 3201
cause the statement of voter on the outside of the 3202
identification envelope to be completed and signed, under 3203
penalty of election falsification. 3204

If the elector ~~does not~~ is marking the absent voter's 3205
ballots in person at the board of elections, the elector shall 3206
provide photo identification or a United States passport that is 3207
not expired to the election officials, or the elector may 3208

execute an affirmation under division (A) (2) of section 3505.18 3209
of the Revised Code stating that the elector has a religious 3210
objection to being photographed and cast a provisional ballot 3211
under section 3505.181 of the Revised Code. If the elector is 3212
not marking the absent voter's ballots in person, the elector 3213
shall provide the elector's unexpired Ohio driver's license or 3214
state identification card number or, along with the expiration 3215
date of the Ohio's driver's license or state identification 3216
card, and the last four digits of the elector's social security 3217
number on the statement of voter on the identification envelope, 3218
~~the elector also~~ and shall include in the return envelope with 3219
the identification envelope a copy of the front and back of the 3220
elector's current valid photo identification, a copy of a 3221
military identification, or a copy of a current utility bill, 3222
bank statement, government check, paycheck, or other government 3223
document, other than a notice of voter registration mailed by a 3224
board of elections under section 3503.19 of the Revised Code, 3225
~~that shows the name and address of the elector.~~ 3226

The elector shall mail the identification envelope to the 3227
director from whom it was received in the return envelope, 3228
postage prepaid, or the elector may personally deliver it to the 3229
director, or the spouse of the elector, the father, mother, 3230
father-in-law, mother-in-law, grandfather, grandmother, brother, 3231
or sister of the whole or half blood, or the son, daughter, 3232
adopting parent, adopted child, stepparent, stepchild, uncle, 3233
aunt, nephew, or niece of the elector may deliver it to the 3234
director. The return envelope shall be transmitted to the 3235
director in no other manner, except as provided in section 3236
3509.08 of the Revised Code. 3237

An absent voter's ballot returned in person shall be 3238
returned directly to officials or employees of the secretary of 3239

state or a board of elections. Upon returning a completed absent 3240
voter's ballot, the person returning the person's completed 3241
absent voter's ballot shall show the person's photo 3242
identification to the officials or employees accepting the 3243
ballot. If a person is returning a completed absent voter's 3244
ballot on behalf of another person, that person shall also show 3245
that person's photo identification and a copy of the front and 3246
back of the photo identification for the person for whom the 3247
completed absent voter's ballot is being returned. 3248

A person shall not return more than three completed absent 3249
voter's ballots for an election. The secretary of state and 3250
board of elections shall maintain a database of the names of any 3251
person that returns a completed absent voter's ballot and 3252
include the date that the person returned any ballots, the 3253
number of ballots returned, and any other necessary information. 3254

When absent voter's ballots are delivered to an elector at 3255
the office of the board, the elector may retire to a voting 3256
compartment provided by the board and there mark the ballots. 3257
Thereupon, the elector shall fold them, place them in the 3258
identification envelope provided, seal the envelope, fill in and 3259
sign the statement on the envelope under penalty of election 3260
falsification, and deliver the envelope to the director of the 3261
board. 3262

Except as otherwise provided in division (B) of this 3263
section, all other envelopes containing marked absent voter's 3264
ballots shall be delivered to the director not later than the 3265
close of the polls on the day of an election. Absent voter's 3266
ballots delivered to the director later than the times specified 3267
shall not be counted, but shall be kept by the board in the 3268
sealed identification envelopes in which they are delivered to 3269

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

(B) (1) Except as otherwise provided in division (B) (2) of this section, any return envelope that is postmarked prior to the day of the election shall be delivered to the director prior to the eleventh day after the election. Ballots delivered in envelopes postmarked prior to the day of the election that are received after the close of the polls on election day through the tenth day thereafter shall be counted on the eleventh day at the board of elections in the manner provided in divisions (C) and (D) of section 3509.06 of the Revised Code or in the manner provided in division (E) of that section, as applicable. Any such ballots that are received by the director later than the tenth day following the election shall not be counted, but shall be kept by the board in the sealed identification envelopes as provided in division (A) of this section.

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

~~Sec. 3509.051. Notwithstanding section 3509.05 or any other provision of the Revised Code to the contrary, all of the following shall apply to the casting of~~ (A) Any qualified elector may cast absent voter's ballots in person

~~(A) The~~ at the office of the board of electors in accordance with this section.

(B) (1) For an election that occurs before January 1, 2023, an elector may cast absent voter's ballots in person during the

period beginning the fourteenth day before the day of an 3299
election and ending on the Sunday before the day of an election. 3300

(2) For an election that occurs after January 1, 2023, an 3301
elector may cast absent voter's ballots in person during the 3302
period beginning the seventh day before the day of an election 3303
and ending on the Sunday before the day of an election. 3304

(3) If, at the time for the close of in-person absent 3305
voting on a particular day, there are voters waiting in line to 3306
cast their ballots, the office of the board shall be kept open 3307
until such waiting voters have cast their absent voter's 3308
ballots. 3309

(C) The absent voter shall provide identification to the 3310
election officials, sign a poll list or signature pollbook, and 3311
cast a ballot in the same manner as ~~one of the following:~~ 3312

~~(1) As a voter who casts a ballot in person on the day of~~ 3313
~~an election is required to provide identification under section~~ 3314
~~3505.18 of the Revised Code; ~~or~~~~ 3315

~~(2) As a voter who casts an absent voter's ballot is~~ 3316
~~required to submit a completed written application for an absent~~ 3317
~~voter's ballot under section 3509.03 of the Revised Code.~~ 3318

~~(B) (D) The absent voter shall not be required to complete~~ 3319
~~a written application for absent voter's ballots or a statement~~ 3320
~~of voter on an absent voter's ballot identification envelope.~~ 3321

~~(C) The board of elections shall provide a signature book~~ 3322
~~to be signed by absent voters who are casting their ballots in~~ 3323
~~person.~~ 3324

~~(D) (E) No person other than an election official shall be~~ 3325
~~permitted to challenge the right to vote of an absent voter who~~ 3326

is casting a ballot in person. An election official may 3327
challenge the right to vote of an absent voter who is casting a 3328
ballot in person in the same manner as a precinct election 3329
official may challenge the right to vote of an elector on the 3330
day of an election under section 3505.20 or 3513.19 of the 3331
Revised Code. 3332

~~(E)~~ (F) An individual who appears to cast absent voter's 3333
ballots in person and is eligible to cast a provisional ballot 3334
under section 3505.181 of the Revised Code shall be permitted to 3335
do so as though the individual had appeared at a polling place 3336
on the day of the election. 3337

(G) No absent voter may receive a replacement ballot after 3338
the voter's absent voter's ballot has been scanned or entered 3339
into automatic tabulating equipment. 3340

(H) Ballots cast under this section, other than 3341
provisional ballots, may be recorded by a voting machine or 3342
scanned by automatic tabulating equipment before the close of 3343
the polls on the day of the election, but the board of elections 3344
shall not tabulate or count the votes on those ballots before 3345
that time. 3346

Sec. 3509.06. (A) The board of elections shall determine 3347
whether absent voter's ballots cast under section 3503.16, 3348
3509.05, 3509.08, or 3511.09 of the Revised Code shall be 3349
processed and counted in each precinct, at the office of the 3350
board, or at some other location designated by the board, and 3351
shall proceed accordingly under division (B), (C), or (E) of 3352
this section, as applicable. 3353

(B) (1) Except as otherwise provided in division (B) (2) of 3354
this section, when the board of elections determines that those 3355

absent voter's ballots shall be processed and counted in each 3356
precinct, the ~~director-board~~ shall deliver to the voting 3357
location manager of each precinct on election day identification 3358
envelopes purporting to contain absent voter's ballots of 3359
electors whose voting residence appears from the statement of 3360
voter on the outside of each of those envelopes, to be located 3361
in that manager's precinct, and which were received by the 3362
~~director-board~~ not later than the close of the polls on election 3363
day. The ~~director-board~~ shall deliver to the voting location 3364
manager a list containing the name and voting residence of each 3365
person whose voting residence is in such precinct to whom absent 3366
voter's ballots were mailed. 3367

(2) The ~~director-board~~ shall not deliver to the voting 3368
location manager identification envelopes cast by electors who 3369
provided a program participant identification number instead of 3370
a residence address on the identification envelope and shall not 3371
inform the voting location manager of the names and voting 3372
residences of persons who have confidential voter registration 3373
records. Those identification envelopes shall be examined and 3374
processed as described in division (E) of this section. 3375

(C) When the board of elections determines that those 3376
absent voter's ballots shall be processed and counted at the 3377
office of the board of elections or at another location 3378
designated by the board, special election officials shall be 3379
appointed by the board for that purpose having the same 3380
authority as is exercised by precinct election officials. The 3381
votes so cast shall be added to the vote totals by the board, 3382
and the absent voter's ballots shall be preserved separately by 3383
the board, in the same manner and for the same length of time as 3384
provided by section 3505.31 of the Revised Code. 3385

(D) Each of the identification envelopes purporting to 3386
contain absent voter's ballots delivered to the voting location 3387
manager of the precinct or the special election official 3388
appointed by the board of elections shall be handled as follows: 3389

(1) The election officials shall compare the signature of 3390
the elector on the outside of the identification envelope with 3391
the signature of that elector on the elector's registration form 3392
and verify that the absent voter's ballot is eligible to be 3393
counted under section 3509.07 of the Revised Code. 3394

(2) (a) Any of the precinct officials may challenge the 3395
right of the elector named on the identification envelope to 3396
vote the absent voter's ballots upon the ground that the 3397
signature on the envelope is not the same as the signature on 3398
the registration form, that the identification envelope 3399
statement of voter is incomplete, or upon any other of the 3400
grounds upon which the right of persons to vote may be lawfully 3401
challenged. 3402

(b) If the elector's name does not appear in the pollbook 3403
or poll list or signature pollbook, the precinct officials shall 3404
deliver the absent voter's ballots to the director of the board 3405
of elections to be examined and processed in the manner 3406
described in division (E) of this section. 3407

(3) (a) An identification envelope statement of voter shall 3408
be considered incomplete if it does not include all of the 3409
following: 3410

(i) The voter's name; 3411

(ii) The voter's residence address or, if the voter has a 3412
confidential voter registration record, as described in section 3413
111.44 of the Revised Code, the voter's program participant 3414

identification number; 3415

(iii) The voter's date of birth. The requirements of this 3416
division are satisfied if the voter provided a date of birth and 3417
any of the following is true: 3418

(I) The month and day of the voter's date of birth on the 3419
identification envelope statement of voter are not different 3420
from the month and day of the voter's date of birth contained in 3421
the statewide voter registration database. 3422

(II) The voter's date of birth contained in the statewide 3423
voter registration database is January 1, 1800. 3424

(III) The board of elections has found, by a vote of at 3425
least three of its members, that the voter has met the 3426
requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of 3427
this section. 3428

(iv) The voter's signature; and 3429

(v) ~~One~~ All of the following ~~forms of~~ identification: 3430

(I) The voter's unexpired Ohio driver's license or state 3431
identification card number; 3432

(II) The last four digits of the voter's social security 3433
number; ~~or~~ and 3434

(III) A copy of ~~a current and valid~~ the front and back of 3435
the voter's photo identification, a military identification, or 3436
~~a current utility bill, bank statement, government check,~~ 3437
~~paycheck, or other government document, other than a notice of~~ 3438
~~voter registration mailed by a board of elections, that shows~~ 3439
~~the voter's name and address.~~ 3440

(b) If the election officials find that the identification 3441

envelope statement of voter is incomplete or that the 3442
information contained in that statement does not conform to the 3443
information contained in the statewide voter registration 3444
database concerning the voter, the election officials shall mail 3445
a written notice to the voter, informing the voter of the nature 3446
of the defect. The notice shall inform the voter that in order 3447
for the voter's ballot to be counted, the voter must provide the 3448
necessary information to the board of elections in writing and 3449
on a form prescribed by the secretary of state not later than 3450
the seventh day after the day of the election. The voter may 3451
deliver the form to the office of the board in person or by 3452
mail. If the voter provides the necessary information to the 3453
board of elections not later than the seventh day after the day 3454
of the election and the ballot is not successfully challenged on 3455
another basis, the voter's ballot shall be processed and counted 3456
in accordance with this section. 3457

(4) If no such challenge is made, or if such a challenge 3458
is made and not sustained, the voting location manager shall 3459
open the envelope without defacing the statement of voter and 3460
without mutilating the ballots in it, and shall remove the 3461
ballots contained in it and proceed to count them. 3462

(5) (a) Except as otherwise provided in division (D) (5) (b) 3463
of this section, the name of each person voting who is entitled 3464
to vote only an absent voter's presidential ballot shall be 3465
entered in a pollbook or poll list or signature pollbook 3466
followed by the words "Absentee Presidential Ballot." The name 3467
of each person voting an absent voter's ballot, other than such 3468
persons entitled to vote only a presidential ballot, shall be 3469
entered in the pollbook or poll list or signature pollbook and 3470
the person's registration card marked to indicate that the 3471
person has voted. 3472

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

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

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

(2) If the director and the deputy director find that the identification envelope statement of voter is incomplete or that the information contained in that statement does not conform to the information contained in the statewide voter registration database concerning the voter or to the information contained in the voter's confidential voter registration record, the director and the deputy director shall mail a written notice to the voter informing the voter of the nature of the defect. The notice shall inform the voter that in order for the voter's ballot to be counted the voter must provide the necessary information to the board of elections in writing and on a form prescribed by the secretary of state not later than the seventh day after the day of the election. The voter may deliver the form to the

office of the board in person or by mail. If the voter provides 3503
the necessary information to the board of elections not later 3504
than the seventh day after the day of the election and the 3505
ballot is not successfully challenged on another basis, the 3506
voter's ballot shall be counted in accordance with this section. 3507

(3) The director or the deputy director may challenge the 3508
ballot on the ground that the signature on the envelope is not 3509
the same as the signature on the registration form, that the 3510
identification envelope statement of voter is incomplete, or 3511
upon any other of the grounds upon which the right of persons to 3512
vote may be lawfully challenged. If such a challenge is made, 3513
the board of elections shall decide whether to sustain the 3514
challenge. 3515

(4) If neither the director nor the deputy director 3516
challenges the ballot, or if such a challenge is made and not 3517
sustained, the director and the deputy director shall open the 3518
envelope without defacing the statement of voter and without 3519
mutilating the ballots in it, shall remove the ballots contained 3520
in it, and shall transmit the ballots to the election officials 3521
to be counted with other absent voter's ballots from that 3522
precinct. 3523

(F) The board of elections may process absent voter's 3524
ballots before the time for counting those ballots, but the 3525
board shall not tabulate or count the votes on those ballots 3526
before that time. As used in this section and section 3511.11 of 3527
the Revised Code, processing an absent voter's ballot means any 3528
of the following: 3529

(1) Examining the identification envelope statement of 3530
voter in order to verify that the absent voter's ballot is 3531
eligible to be counted under section 3509.07 of the Revised 3532

Code;	3533
(2) Opening the identification envelope, if the absent voter's ballot is eligible to be counted;	3534 3535
(3) Determining the validity of the absent voter's ballot under section 3509.07 of the Revised Code;	3536 3537
(4) Preparing and sorting the absent voter's ballot for scanning by automatic tabulating equipment;	3538 3539
(5) Scanning the absent voter's ballot by automatic tabulating equipment, if the equipment used by the board of elections permits an absent voter's ballot to be scanned without tabulating or counting the votes on the ballots scanned.	3540 3541 3542 3543
(G) Special election officials, employees or members of the board of elections, or observers shall not disclose the count or any portion of the count of absent voter's ballots prior to the time of the closing of the polling places. No person shall recklessly disclose the count or any portion of the count of absent voter's ballots in such a manner as to jeopardize the secrecy of any individual ballot.	3544 3545 3546 3547 3548 3549 3550
(H) (1) Except as otherwise provided in division (H) (2) of this section, observers may be appointed under section 3505.21 of the Revised Code to witness the examination and opening of identification envelopes and the processing and counting of absent voters' ballots under this section.	3551 3552 3553 3554 3555
(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.	3556 3557 3558 3559 3560 3561

(I) A board of elections is prohibited from processing and counting any absent voter's ballots that were not returned to the secretary of state or a board of elections either in person or by mail. Any absent voter's ballots returned to a drop box of any kind shall not be processed and counted.

Sec. 3509.07. If election officials find that any of the following are true concerning an absent voter's ballot or absent voter's presidential ballot cast under section 3503.16, 3509.05, 3509.08, or 3511.09 of the Revised Code and, if applicable, the person did not provide any required additional information to the board of elections not later than the seventh day after the day of the election, as permitted under division (D) (3) (b) or (E) (2) of section 3509.06 of the Revised Code, the ballot shall not be accepted or counted:

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

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

(C) The applicant is not a qualified elector in the precinct;

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

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

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

The vote of any absent voter may be challenged for cause 3591
in the same manner as other votes are challenged, and the 3592
election officials shall determine the legality of that ballot. 3593
Every ballot not counted shall be endorsed on its back "Not 3594
Counted" with the reasons the ballot was not counted, and shall 3595
be enclosed and returned to or retained by the board of 3596
elections along with the contested ballots. 3597

Sec. 3509.08. (A) Any qualified elector, who, on account 3598
of the elector's own personal illness, physical disability, or 3599
infirmity, or on account of the elector's confinement in a jail 3600
or workhouse under sentence for a misdemeanor or awaiting trial 3601
on a felony or misdemeanor, will be unable to travel from the 3602
elector's home or place of confinement to the voting booth in 3603
the elector's precinct on the day of any general, special, or 3604
primary election may make application in writing for an absent 3605
voter's ballot to ~~the director of~~ the board of elections of the 3606
elector's county. The application shall include all of the 3607
information required under section 3509.03 of the Revised Code 3608
and shall state the nature of the elector's illness, physical 3609
disability, or infirmity, or the fact that the elector is 3610
confined in a jail or workhouse and the elector's resultant 3611
inability to travel to the election booth in the elector's 3612
precinct on election day. The Except as otherwise provided in 3613
division (B) of this section, the application shall not be valid 3614
if it is delivered to the ~~director office of the board~~ before 3615
the ninetieth day or after twelve noon of the third day before 3616
the day of the election at which the ballot is to be voted. 3617

The absent voter's ballot may be mailed directly to the 3618
applicant at the applicant's voting residence or place of 3619
confinement as stated in the applicant's application, or the 3620
board may designate two board employees belonging to the two 3621

major political parties for the purpose of delivering the ballot 3622
to the disabled or confined elector and returning it to the 3623
board, unless the applicant is confined to a public or private 3624
institution within the county, in which case the board shall 3625
designate two board employees belonging to the two major 3626
political parties for the purpose of delivering the ballot to 3627
the disabled or confined elector and returning it to the board. 3628
In all other instances, the ballot shall be returned to the 3629
office of the board in the manner prescribed in section 3509.05 3630
of the Revised Code. 3631

Any disabled or confined elector who declares to the two 3632
board employees belonging to the two major political parties 3633
that the elector is unable to mark the elector's ballot by 3634
reason of physical infirmity that is apparent to the employees 3635
to be sufficient to incapacitate the voter from marking the 3636
elector's ballot properly, may receive, upon request, the 3637
assistance of the employees in marking the elector's ballot, and 3638
they shall thereafter give no information in regard to this 3639
matter. Such assistance shall not be rendered for any other 3640
cause. 3641

When two board employees belonging to the two major 3642
political parties deliver a ballot to a disabled or confined 3643
elector, each of the employees shall be present when the ballot 3644
is delivered, when assistance is given, and when the ballot is 3645
returned to the office of the board, and shall subscribe to the 3646
declaration on the identification envelope. 3647

The secretary of state shall prescribe the form of 3648
application for absent voter's ballots under this division. 3649

This chapter applies to disabled and confined absent 3650
voter's ballots except as otherwise provided in this section. 3651

(B) (1) Any qualified elector who is unable to travel to 3652
the voting booth in the elector's precinct on the day of any 3653
general, special, or primary election may apply to ~~the director~~ 3654
~~of~~ the board of elections of the county where the elector is a 3655
qualified elector to vote in the election by absent voter's 3656
ballot if either of the following apply: 3657

(a) The elector is confined in a hospital as a result of 3658
an accident or unforeseeable medical emergency occurring before 3659
the election; 3660

(b) The elector's minor child is confined in a hospital as 3661
a result of an accident or unforeseeable medical emergency 3662
occurring before the election. 3663

(2) The application authorized under division (B) (1) of 3664
this section shall be made in writing, shall include all of the 3665
information required under section 3509.03 of the Revised Code, 3666
and shall be delivered to the ~~director~~ office of the board not 3667
later than three p.m. on the day of the election. The 3668
application shall indicate the hospital where the applicant or 3669
the applicant's child is confined, the date of the applicant's 3670
or the applicant's child's admission to the hospital, and the 3671
offices for which the applicant is qualified to vote. The 3672
applicant may also request that a member of the applicant's 3673
family, as listed in section 3509.05 of the Revised Code, 3674
deliver the absent voter's ballot to the applicant. ~~The director~~ 3675
board, after establishing to the ~~director's board's~~ satisfaction 3676
the validity of the circumstances claimed by the applicant, 3677
shall supply an absent voter's ballot to be delivered to the 3678
applicant. When the applicant or the applicant's child is in a 3679
hospital in the county where the applicant is a qualified 3680
elector and no request is made for a member of the family to 3681

deliver the ballot, the ~~director-board~~ shall arrange for the 3682
delivery of an absent voter's ballot to the applicant, and for 3683
its return to the office of the board, by two board employees 3684
belonging to the two major political parties according to the 3685
procedures prescribed in division (A) of this section. When the 3686
applicant or the applicant's child is in a hospital outside the 3687
county where the applicant is a qualified elector and no request 3688
is made for a member of the family to deliver the ballot, the 3689
~~director-board~~ shall arrange for the delivery of an absent 3690
voter's ballot to the applicant by mail, and the ballot shall be 3691
returned to the office of the board in the manner prescribed in 3692
section 3509.05 of the Revised Code. 3693

(3) Any qualified elector who is eligible to vote under 3694
division (B) or (C) of section 3503.16 of the Revised Code but 3695
is unable to do so because of the circumstances described in 3696
division (B)(2) of this section may vote in accordance with 3697
division (B)(1) of this section if that qualified elector states 3698
in the application for absent voter's ballots that that 3699
qualified elector moved or had a change of name under the 3700
circumstances described in division (B) or (C) of section 3701
3503.16 of the Revised Code and if that qualified elector 3702
complies with divisions (G)(1) to (4) of section 3503.16 of the 3703
Revised Code. 3704

(C) Any qualified elector described in division (A) or (B) 3705
(1) of this section who needs no assistance to vote or to return 3706
absent voter's ballots to the board of elections may apply for 3707
absent voter's ballots under section 3509.03 of the Revised Code 3708
instead of applying for them under this section or may cast 3709
absent voter's ballots in person under section 3509.051 of the 3710
Revised Code. 3711

(D) Any qualified elector described in division (A) or (B) 3712
(1) of this section to whom ballots are delivered by two 3713
employees of the board of elections or who votes with the 3714
assistance of two employees of the board of elections shall be 3715
considered to have cast absent voter's ballots by mail, rather 3716
than in person, for the purpose of the laws governing voter 3717
identification. Such an elector may provide any of the types of 3718
identification acceptable for mail-in absent voter's ballots to 3719
the election officials at the time the ballots are delivered to 3720
the elector or at the time the election officials assist the 3721
elector in marking the ballot, as the case may be. 3722

Sec. 3509.09. (A) The poll list or signature pollbook for 3723
each precinct shall identify each registered elector in that 3724
precinct who has requested an absent voter's ballot for that 3725
election or cast absent voter's ballots in person under section 3726
3509.051 of the Revised Code, other than an elector who has a 3727
confidential voter registration record, as described in section 3728
111.44 of the Revised Code. 3729

~~(B) (1) (B) If a registered elector appears to vote in that~~ 3730
~~precinct and that elector has requested or cast an absent~~ 3731
~~voter's ballot for that election but the director has not~~ 3732
~~received a sealed identification envelope purporting to contain~~ 3733
~~that elector's voted absent voter's ballots for that election,~~ 3734
~~the elector shall be permitted to cast a provisional ballot~~ 3735
~~under section 3505.181 of the Revised Code in that precinct on~~ 3736
~~the day of that election.~~ 3737

~~(2) If a registered elector appears to vote in that~~ 3738
~~precinct and that elector has requested an absent voter's ballot~~ 3739
~~for that election and the director has received a sealed~~ 3740
~~identification envelope purporting to contain that elector's~~ 3741

~~voted absent voter's ballots for that election, the elector~~ 3742
shall be permitted to cast a provisional ballot under section 3743
3505.181 of the Revised Code ~~in that precinct on the day of that~~ 3744
~~election.~~ 3745

(C) (1) In counting absent voter's ballots under section 3746
3509.06 of the Revised Code, the board of elections shall 3747
compare the signature of each elector from whom the ~~director-~~ 3748
board has received a sealed identification envelope purporting 3749
to contain that elector's voted absent voter's ballots for that 3750
election to the signature on that elector's registration form. 3751
Except as otherwise provided in division (C) (3) of this section, 3752
if the board of elections determines that the absent voter's 3753
ballot in the sealed identification envelope is valid, it shall 3754
be counted. If the board of elections determines that the 3755
signature on the sealed identification envelope purporting to 3756
contain the elector's voted absent voter's ballot does not match 3757
the signature on the elector's registration form, the ballot 3758
shall be set aside and the board shall examine, during the time 3759
prior to the beginning of the official canvass, the poll list or 3760
signature pollbook from the precinct in which the elector is 3761
registered to vote to determine if the elector also cast a 3762
provisional ballot under section 3505.181 of the Revised Code ~~in-~~ 3763
~~that precinct on the day of the election.~~ 3764

(2) The board of elections shall count the provisional 3765
ballot, instead of the absent voter's ballot, if both of the 3766
following apply: 3767

(a) The board of elections determines that the signature 3768
of the elector on the outside of the identification envelope in 3769
which the absent voter's ballots are enclosed does not match the 3770
signature of the elector on the elector's registration form; 3771

(b) The elector cast a provisional ballot in the ~~precinct~~ 3772
~~on the day of the election.~~ 3773

(3) If the board of elections does not receive the sealed 3774
identification envelope purporting to contain the elector's 3775
voted absent voter's ballot by the ~~applicable deadline~~ 3776
~~established under section 3509.05~~ close of the Revised Code 3777
polls on the day of the election, the provisional ballot cast 3778
under section 3505.181 of the Revised Code ~~in that precinct on~~ 3779
~~the day of the election~~ shall be counted as valid, if that 3780
provisional ballot is otherwise determined to be valid pursuant 3781
to section 3505.183 of the Revised Code. 3782

(D) If the board of elections counts a provisional ballot 3783
under division (C) (2) or (3) of this section, the returned 3784
identification envelope of that elector shall not be opened, and 3785
the ballot within that envelope shall not be counted. The 3786
identification envelope shall be endorsed "Not Counted" with the 3787
reason the ballot was not counted. 3788

Sec. 3509.10. If a board of elections receives an 3789
application for absent voter's ballots under ~~this chapter~~ 3790
section 3509.03 of the Revised Code and it is apparent to the 3791
board that the absent voter is a uniformed services voter or 3792
overseas voter, as defined in section 3511.01 of the Revised 3793
Code, the board shall consider that applicant to have applied 3794
for uniformed services or overseas ballots under Chapter 3511. 3795
of the Revised Code and shall provide those ballots to that 3796
voter in accordance with the timelines and procedures applicable 3797
to uniformed services and overseas absent voters. 3798

Sec. 3511.02. (A) Notwithstanding any section of the 3799
Revised Code to the contrary, whenever any person applies for 3800
registration as a voter on a form adopted in accordance with 3801

federal regulations relating to the "Uniformed and Overseas 3802
Citizens Absentee Voting Act," 100 Stat. 924, 42 U.S.C.A. 1973ff 3803
(1986), this application shall be sufficient for voter 3804
registration and as a request for an absent voter's ballot. 3805
Uniformed services or overseas absent voter's ballots may be 3806
obtained by any person meeting the requirements of section 3807
3511.011 of the Revised Code by applying electronically to the 3808
secretary of state or to the board of elections of the county in 3809
which the person's voting residence is located in accordance 3810
with section 3511.021 of the Revised Code or by applying to the 3811
~~director of the~~ board of elections of the county in which the 3812
person's voting residence is located, in one of the following 3813
ways: 3814

(1) That person may make written application for those 3815
ballots. The person may personally deliver the application to 3816
the ~~director~~ office of the board or may mail it, send it by 3817
facsimile machine, send it by electronic mail, send it through 3818
internet delivery if such delivery is offered by the board of 3819
elections or the secretary of state, or otherwise send it to the 3820
~~director~~ board. Except as otherwise provided in division (B) of 3821
this section, the application need not be in any particular form 3822
but shall contain all of the following information: 3823

- (a) The elector's name; 3824
- (b) The elector's signature; 3825
- (c) The address at which the elector is registered to 3826
vote; 3827
- (d) The elector's date of birth; 3828
- (e) ~~One of the following:~~ 3829
- (i) The elector's photo identification or United States 3830

passport that is not expired, if the elector will be marking 3831
absent voter's ballots in person at the office of the board of 3832
elections; or 3833

(ii) If the elector will not be marking the ballots in 3834
person, the elector's Ohio driver's license or state 3835
identification card number and expiration date 3836

~~(ii) The, the last four digits of the elector's social~~ 3837
~~security number~~ 3838

~~(iii) A, and a copy of the front and back of the elector's~~ 3839
~~current and valid photo identification, a copy of a military~~ 3840
~~identification, or a copy of a current utility bill, bank~~ 3841
~~statement, government check, paycheck, or other government~~ 3842
~~document, other than a notice of voter registration mailed by a~~ 3843
~~board of elections under section 3503.19 of the Revised Code,~~ 3844
~~that shows the name and address of the elector.~~ 3845

(f) A statement identifying the election for which absent 3846
voter's ballots are requested; 3847

(g) A statement that the person requesting the ballots is 3848
a qualified elector; 3849

(h) A statement that the elector is an absent uniformed 3850
services voter or overseas voter as defined in 42 U.S.C. 1973ff- 3851
6; 3852

(i) A statement of the elector's length of residence in 3853
the state immediately preceding the commencement of service, 3854
immediately preceding the date of leaving to be with or near the 3855
service member, or immediately preceding leaving the United 3856
States, or a statement that the elector's parent or legal 3857
guardian resided in this state long enough to establish 3858
residency for voting purposes immediately preceding leaving the 3859

United States, whichever is applicable; 3860

(j) If the request is for primary election ballots, the 3861
elector's party affiliation; 3862

(k) If the elector desires ballots to be mailed to the 3863
elector, the address to which those ballots shall be mailed; 3864

(l) If the elector desires ballots to be sent to the 3865
elector by facsimile machine, the telephone number to which they 3866
shall be so sent; 3867

(m) If the elector desires ballots to be sent to the 3868
elector by electronic mail or, if offered by the board of 3869
elections or the secretary of state, through internet delivery, 3870
the elector's electronic mail address or other internet contact 3871
information. 3872

(2) A voter or any relative of a voter listed in division 3873
(A) (3) of this section may use a single federal post card 3874
application to apply for uniformed services or overseas absent 3875
voter's ballots for use at the primary and general elections in 3876
a given year and any special election to be held on the day in 3877
that year specified by division (E) of section 3501.01 of the 3878
Revised Code for the holding of a primary election, designated 3879
by the general assembly for the purpose of submitting 3880
constitutional amendments proposed by the general assembly to 3881
the voters of the state. A single federal postcard application 3882
shall be processed by the board of elections pursuant to section 3883
3511.04 of the Revised Code the same as if the voter had applied 3884
separately for uniformed services or overseas absent voter's 3885
ballots for each election. 3886

(3) Application to have uniformed services or overseas 3887
absent voter's ballots mailed or sent by facsimile machine to 3888

such a person may be made by the spouse, father, mother, father- 3889
in-law, mother-in-law, grandfather, grandmother, brother or 3890
sister of the whole blood or half blood, son, daughter, adopting 3891
parent, adopted child, stepparent, stepchild, daughter-in-law, 3892
son-in-law, uncle, aunt, nephew, or niece of such a person. The 3893
application shall be in writing upon a blank form furnished only 3894
by the ~~director-board~~ or on a single federal post card as 3895
provided in division (A) (2) of this section. The form of the 3896
application shall be prescribed by the secretary of state. The 3897
~~director-board~~ shall furnish that blank form to any of the 3898
relatives specified in this division desiring to make the 3899
application, only upon the request of such a relative made in 3900
person at the office of the board or upon the written request of 3901
such a relative mailed to the office of the board. Except as 3902
otherwise provided in division (B) of this section, the 3903
application, subscribed and sworn to by the applicant, shall 3904
contain all of the following: 3905

(a) The full name of the elector for whom ballots are 3906
requested; 3907

(b) A statement that the elector is an absent uniformed 3908
services voter or overseas voter as defined in 42 U.S.C. 1973ff- 3909
6; 3910

(c) The address at which the elector is registered to 3911
vote; 3912

(d) A statement identifying the elector's length of 3913
residence in the state immediately preceding the commencement of 3914
service, immediately preceding the date of leaving to be with or 3915
near a service member, or immediately preceding leaving the 3916
United States, or a statement that the elector's parent or legal 3917
guardian resided in this state long enough to establish 3918

residency for voting purposes immediately preceding leaving the United States, as the case may be;

(e) The elector's date of birth;

(f) ~~One~~ All of the following:

(i) The elector's unexpired Ohio driver's license or state identification card number and the expiration date;

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

(iii) A copy of the front and back 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.

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

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

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

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

(k) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by

the board of elections or the secretary of state, the internet 3946
contact information to which ballots shall be sent through 3947
internet delivery; 3948

(1) The signature and address of the person making the 3949
application. 3950

(B) If the elector has a confidential voter registration 3951
record, as described in section 111.44 of the Revised Code, the 3952
application may include the elector's program participant 3953
identification number instead of the address at which the 3954
elector is registered to vote. 3955

(C) Each application for uniformed services or overseas 3956
absent voter's ballots shall be delivered to the ~~director office~~ 3957
of the board not earlier than the first day of January of the 3958
year of the elections for which the uniformed services or 3959
overseas absent voter's ballots are requested or not earlier 3960
than ninety days before the day of the election at which the 3961
ballots are to be voted, whichever is earlier, and not later 3962
than twelve noon of the third day preceding the day of the 3963
election, or not later than six p.m. on the last Friday before 3964
the day of the election at which those ballots are to be voted 3965
if the application is delivered in person to the office of the 3966
board. 3967

(D) If the voter for whom the application is made is 3968
entitled to vote for presidential and vice-presidential electors 3969
only, the applicant shall submit to the ~~director board,~~ in 3970
addition to the requirements of division (A) of this section, a 3971
statement to the effect that the voter is qualified to vote for 3972
presidential and vice-presidential electors and for no other 3973
offices. 3974

(E) A board of elections that mails a federal post card application or other absent voter's ballot application to an elector under this section shall not prepay the return postage for that application.

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

Sec. 3511.04. (A) If a ~~director of a~~ board of elections receives an application for uniformed services or overseas absent voter's ballots that does not contain all of the required information, the ~~director board~~ promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application.

(B) Not later than the forty-sixth day before the day of each general or primary election, and at the earliest possible time before the day of a special election held on a day other than the day on which a general or primary election is held, the ~~director of the~~ board of elections shall mail, send by facsimile machine, send by electronic mail, send through internet delivery if such delivery is offered by the board of elections or the

secretary of state, or otherwise send uniformed services or 4005
overseas absent voter's ballots then ready for use as provided 4006
for in section 3511.03 of the Revised Code and for which the 4007
~~director-board~~ has received valid applications prior to that 4008
time. Thereafter, and until twelve noon of the third day 4009
preceding the day of election, the ~~director-board~~ shall 4010
promptly, upon receipt of valid applications for them, mail, 4011
send by facsimile machine, send by electronic mail, send through 4012
internet delivery if such delivery is offered by the board of 4013
elections or the secretary of state, or otherwise send to the 4014
proper persons all uniformed services or overseas absent voter's 4015
ballots then ready for use. 4016

If, after the seventieth day before the day of a general 4017
or primary election, any other question, issue, or candidacy is 4018
lawfully ordered submitted to the electors voting at the general 4019
or primary election, the board shall promptly provide a separate 4020
official issue, special election, or other election ballot for 4021
submitting the question, issue, or candidacy to those electors, 4022
and the ~~director-board~~ shall promptly mail, send by facsimile 4023
machine, send by electronic mail, send through internet delivery 4024
if such delivery is offered by the board of elections or the 4025
secretary of state, or otherwise send each such separate ballot 4026
to each person to whom the ~~director-board~~ has previously mailed 4027
or sent other uniformed services or overseas absent voter's 4028
ballots. 4029

A board of elections that mails or otherwise delivers 4030
uniformed services or overseas absent voter's ballots to an 4031
elector under this section shall not prepay the return postage 4032
for those ballots. In mailing uniformed services or overseas 4033
absent voter's ballots, the ~~director-board~~ shall use the fastest 4034
mail service available, but the ~~director-board~~ shall not mail 4035

them by certified mail. 4036

Sec. 3511.05. (A) The ~~director of the~~ board of elections 4037
shall place uniformed services or overseas absent voter's 4038
ballots sent by mail in an unsealed identification envelope, 4039
gummed ready for sealing. The ~~director-board~~ shall include with 4040
uniformed services or overseas absent voter's ballots sent 4041
electronically, including by facsimile machine, an instruction 4042
sheet for preparing a gummed envelope in which the ballots shall 4043
be returned. The envelope for returning ballots sent by either 4044
means shall have printed or written on its face a form 4045
substantially as follows: 4046

"Identification Envelope Statement of Voter 4047

I, _____ (Name of voter), declare under 4048
penalty of election falsification that the within ballot or 4049
ballots contained no voting marks of any kind when I received 4050
them, and I caused the ballot or ballots to be marked, enclosed 4051
in the identification envelope, and sealed in that envelope. 4052

My voting residence in Ohio is 4053

_____ 4054

(Street and Number, if any, or Rural Route and Number) 4055

of _____ (City, Village, or Township) 4056

Ohio, which is in Ward _____ Precinct _____ 4057

in that city, village, or township. 4058

If I have a confidential voter registration record, I am 4059
providing my program participant identification number instead 4060
of my residence address: _____ 4061

The primary election ballots, if any, within this envelope 4062
are primary election ballots of the _____ Party. 4063

Ballots contained within this envelope are to be voted at 4064
the _____ (general, special, or primary) election to be 4065
held on the _____ day of 4066
_____, _____, 4067

My date of birth is _____ (Month and Day), 4068
_____ (Year). 4069

~~(Voter must provide _____~~ If I am marking these ballots 4070
in person at the office of the board of elections, I have 4071
provided photo identification or a United States passport that 4072
is not expired to the election officials. 4073

_____ If I am marking these ballots other than in person, 4074
I have provided ~~one~~ all of the following: 4075

My unexpired Ohio driver's license or state identification 4076
card number is _____ (Driver's license or state 4077
identification card number) and the expiration date is 4078
(expiration date of the driver's license or state identification 4079
card). 4080

The last four digits of my Social Security Number are 4081
_____ (Last four digits of Social Security Number). 4082

~~_____ In lieu of providing a driver's license number or~~ 4083
~~the last four digits of my Social Security Number, I am~~ 4084
~~enclosing a A copy of ~~one of the following~~ the front and back of~~ 4085
~~my photo identification in the return envelope in which this~~ 4086
~~identification envelope will be mailed: a current and valid~~ 4087
~~photo identification, a military identification, or a current~~ 4088
~~utility bill, bank statement, government check, paycheck, or~~ 4089
~~other government document, other than a notice of voter~~ 4090
~~registration mailed by a board of elections, that shows my name~~ 4091
~~and address.~~ 4092

I hereby declare, under penalty of election falsification, 4093
that the statements above are true, as I verily believe. 4094

_____ 4095

(Signature of Voter) 4096

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 4097
THE FIFTH DEGREE." 4098

(B) The ~~director-board~~ shall also mail with the ballots 4099
and the unsealed identification envelope sent by mail an 4100
unsealed return envelope, gummed, ready for sealing, for use by 4101
the voter in returning the voter's marked ballots to the 4102
~~director office of the board~~. The ~~director-board~~ shall send with 4103
the ballots and the instruction sheet for preparing a gummed 4104
envelope sent electronically, including by facsimile machine, an 4105
instruction sheet for preparing a second gummed envelope as 4106
described in this division, for use by the voter in returning 4107
that voter's marked ballots to the ~~director-board~~. The return 4108
envelope shall have two parallel lines, each one quarter of an 4109
inch in width, printed across its face paralleling the top, with 4110
an intervening space of one quarter of an inch between such 4111
lines. The top line shall be one and one-quarter inches from the 4112
top of the envelope. Between the parallel lines shall be 4113
printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 4114
ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank lines shall 4115
be printed in the upper left corner on the face of the envelope 4116
for the use by the voter in placing the voter's complete 4117
military, naval, or mailing address on these lines, and beneath 4118
these lines there shall be printed a box beside the words "check 4119
if out-of-country." The voter shall check this box if the voter 4120
will be outside the United States on the day of the election. 4121
The ~~official title and the post-office address of the director-~~ 4122

~~to whom the envelope shall be returned~~ office of the board shall 4123
be printed on the face of such envelope in the lower right 4124
portion below the bottom parallel line. 4125

(C) On the back of each identification envelope and each 4126
return envelope shall be printed the following: 4127

"Instructions to voter: 4128

If the flap on this envelope is so firmly stuck to the 4129
back of the envelope when received by you as to require forcible 4130
opening in order to use it, open the envelope in the manner 4131
least injurious to it, and, after marking your ballots and 4132
enclosing same in the envelope for mailing them to the ~~director~~ 4133
~~of the~~ board of elections, reclose the envelope in the most 4134
practicable way, by sealing or otherwise, and sign the blank 4135
form printed below. 4136

The flap on this envelope was firmly stuck to the back of 4137
the envelope when received, and required forced opening before 4138
sealing and mailing. 4139

_____ 4140

(Signature of voter)" 4141

(D) Division (C) of this section does not apply when 4142
absent voter's ballots are sent electronically, including by 4143
facsimile machine. 4144

(E) Except as otherwise provided in this division and in 4145
sections 3505.24 and 3509.08 of the Revised Code, an election 4146
official shall not fill out any portion of an identification 4147
envelope statement of voter or an absent voter's ballot on 4148
behalf of an elector. A board of elections may shall not 4149
preprint ~~only an elector's name and~~, address, or any other 4150

personal information specific to the elector on an 4151
identification envelope statement of voter before mailing or 4152
electronically transmitting absent voter's ballots to the 4153
elector, ~~except that if the elector has a confidential voter-~~ 4154
~~registration record, as described in section 111.44 of the~~ 4155
~~Revised Code, the board of elections shall not preprint the~~ 4156
~~elector's address on the identification envelope statement of-~~ 4157
~~voter.~~ 4158

Sec. 3511.06. The return envelope provided for in section 4159
3511.05 of the Revised Code shall be of such size that the 4160
identification envelope can be conveniently placed within it for 4161
returning the identification envelope to the director office of 4162
the board of elections. The envelope in which the two envelopes 4163
and the uniformed services or overseas absent voter's ballots 4164
are mailed to the elector shall have two parallel lines, each 4165
one quarter of an inch in width, printed across its face, 4166
paralleling the top, with an intervening space of one-quarter of 4167
an inch between such lines. The top line shall be one and one- 4168
quarter inches from the top of the envelope. Between the 4169
parallel lines shall be printed: "official uniformed services or 4170
overseas absent voter's balloting material--via air mail." The 4171
appropriate return address of the ~~director of the board of~~ 4172
elections shall be printed in the upper left corner on the face 4173
of such envelope. Several blank lines shall be printed on the 4174
face of such envelope in the lower right portion, below the 4175
bottom parallel line, for writing in the name and address of the 4176
elector to whom such envelope is mailed. 4177

Sec. 3511.07. When mailing unsealed identification 4178
envelopes and unsealed return envelopes to persons, the ~~director-~~ 4179
~~of the~~ board of elections shall insert a sheet of waxed paper or 4180
other appropriate insert between the gummed flap and the back of 4181

each of such envelopes to minimize the possibility that the flap 4182
may become firmly stuck to the back of the envelope by reason of 4183
moisture, humid atmosphere, or other conditions to which they 4184
may be subjected. If the flap on either of such envelopes should 4185
be so firmly stuck to the back of the envelope when it is 4186
received by the voter as to require forcible opening of the 4187
envelope in order to use it, the voter shall open such envelope 4188
in the manner least injurious to it, and, after marking ~~his~~ the 4189
voter's ballots and enclosing them in the envelope for mailing 4190
to the director, ~~he~~ the voter shall reclose such envelope in the 4191
most practicable way, by sealing it or otherwise, and shall sign 4192
the blank form printed on the back of such envelope. 4193

Sec. 3511.08. The ~~director of the~~ board of elections shall 4194
keep a record of the name and address of each person to whom the 4195
~~director board~~ mails or delivers uniformed services or overseas 4196
absent voter's ballots, the kinds of ballots so mailed or 4197
delivered, and the name and address of the person who made the 4198
application for such ballots. After the ~~director board~~ has 4199
mailed or delivered such ballots the ~~director board~~ shall not 4200
mail or deliver additional ballots of the same kind to such 4201
person pursuant to a subsequent request unless such subsequent 4202
request contains the statement that an earlier request had been 4203
sent to the ~~director board~~ prior to the thirtieth day before the 4204
election and that the uniformed services or overseas absent 4205
voter's ballots so requested had not been received by such 4206
person prior to the fifteenth day before the election, and 4207
provided that the ~~director board~~ has not received an 4208
identification envelope purporting to contain marked uniformed 4209
services or overseas absent voter's ballots from such person. 4210

Sec. 3511.09. Upon receiving uniformed services or 4211
overseas absent voter's ballots, the elector shall cause the 4212

questions on the face of the identification envelope to be 4213
answered, and, by writing the elector's usual signature in the 4214
proper place on the identification envelope, the elector shall 4215
declare under penalty of election falsification that the answers 4216
to those questions are true and correct to the best of the 4217
elector's knowledge and belief. Then, the elector shall note 4218
whether there are any voting marks on the ballot. If there are 4219
any voting marks, the ballot shall be returned immediately to 4220
the board of elections; otherwise, the elector shall cause the 4221
ballot to be marked, folded separately so as to conceal the 4222
markings on it, deposited in the identification envelope, and 4223
securely sealed in the identification envelope. The elector then 4224
shall cause the identification envelope to be placed within the 4225
return envelope, sealed in the return envelope, and mailed to 4226
the director of the board of elections to whom it is addressed. 4227
The ballot shall be submitted for mailing not later than 12:01 4228
a.m. at the place where the voter completes the ballot, on the 4229
date of the election. 4230

If the elector ~~does not~~ is marking the absent voter's 4231
ballots in person at the office of the board of elections, the 4232
elector shall provide photo identification or a United States 4233
passport that is not expired to the election officials, or the 4234
elector may execute an affirmation under division (A) (2) of 4235
section 3505.18 of the Revised Code stating that the elector has 4236
a religious objection to being photographed and cast a 4237
provisional ballot under section 3505.181 of the Revised Code. 4238
If the elector is not marking absent voter's ballots in person, 4239
the elector shall provide the elector's unexpired Ohio driver's 4240
license or state identification card number or and expiration 4241
date and the last four digits of the elector's social security 4242
number on the statement of voter on the identification envelope, 4243

~~the elector also and shall include a copy of the front and back
of the elector's photo identification in the return envelope
with the identification envelope a copy of the elector's current
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.~~

Each elector who will be outside the United States on the
day of the election shall check the box on the return envelope
indicating this fact and shall mail the return envelope to the
director prior to the close of the polls on election day.

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

Sec. 3511.10. ~~If, after the first day after the close of
voter registration before a general or primary election and
before the close of the polls on the day of that election, a
valid application for (A) 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 in accordance with 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 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 third 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.~~~~

(B) 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 close of the polls on~~ 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 board~~ finds ballots in it that are not enclosed in and properly sealed in the identification envelope, the ~~director board~~ 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 board~~ finds that ballots are enclosed in the identification envelope but that it is not properly sealed, the ~~director board~~ 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) ~~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 the ballot is postmarked, contains a late postmark, or contains an illegible postmark, a uniformed services or overseas absent voter's ballot that is received after the close of the polls on election day through the tenth day after the election day shall be processed and counted on the eleventh day after the election day at the office of the board of elections in the manner provided in section 3509.06 of the Revised Code if the voter signed the identification envelope by the time specified in section 3511.09 of the Revised Code. However, if a return~~

~~envelope containing a uniformed services or overseas absent voter's ballot is so received and so indicates, but the identification envelope in it is signed after the close of the polls on election day, the uniformed services or overseas absent voter's ballot shall not be counted.~~ 4336
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~~(D) The following types of uniformed services or overseas absent voter's ballots shall not be counted:~~ 4341
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~~(1) Uniformed services or overseas absent voter's ballots contained in return envelopes that bear the designation "Official Election Uniformed Services or Overseas Absent Voter's Ballots," that are received by the director board of elections after the close of the polls on the day of the election, and that contain an identification envelope that is signed after the time specified in section 3511.09 of the Revised Code;~~ 4343
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~~(2) Uniformed services or overseas absent voter's ballots contained in return envelopes that bear that designation and that are received after the tenth day following the election shall not be counted.~~ 4350
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The uncounted ballots shall be preserved in their identification envelopes unopened until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed. 4354
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Sec. 3511.13. (A) The poll list or signature pollbook for each precinct shall identify each registered elector in that precinct who has requested a uniformed services or overseas absent voter's ballot for that election or cast absent voter's ballots in person under section 3509.051 of the Revised Code, other than an elector who has a confidential voter registration 4359
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record, as described in section 111.44 of the Revised Code. 4365

~~(B) (1) (B) If a registered elector appears to vote in that 4366
precinct and that elector has requested or cast a uniformed 4367
services or overseas absent voter's ballot for that election ~~but~~ 4368
~~the director has not received a sealed identification envelope~~ 4369
~~purporting to contain that elector's voted uniformed services or~~ 4370
~~overseas absent voter's ballots for that election, the elector~~ 4371
~~shall be permitted to cast a provisional ballot under section~~ 4372
~~3505.181 of the Revised Code in that precinct on the day of that~~ 4373
~~election.~~ 4374~~

~~(2) If a registered elector appears to vote in that 4375
precinct and that elector has requested a uniformed services or 4376
overseas absent voter's ballot for that election and the 4377
director has received a sealed identification envelope 4378
purporting to contain that elector's voted uniformed services or 4379
overseas absent voter's ballots for that election, the elector 4380
shall be permitted to cast a provisional ballot under section 4381
3505.181 of the Revised Code ~~in that precinct on the day of that~~ 4382
~~election.~~ 4383~~

(C) (1) In counting uniformed services or overseas absent 4384
voter's ballots under section 3511.11 of the Revised Code, the 4385
board of elections shall compare the signature of each elector 4386
from whom the ~~director~~ board has received a sealed 4387
identification envelope purporting to contain that elector's 4388
voted uniformed services or overseas absent voter's ballots for 4389
that election to the signature on the elector's registration 4390
form. Except as otherwise provided in division (C) (3) of this 4391
section, if the board of elections determines that the uniformed 4392
services or overseas absent voter's ballot in the sealed 4393
identification envelope is valid, it shall be counted. If the 4394

board of elections determines that the signature on the sealed 4395
identification envelope purporting to contain the elector's 4396
voted uniformed services or overseas absent voter's ballot does 4397
not match the signature on the elector's registration form, the 4398
ballot shall be set aside and the board shall examine, during 4399
the time prior to the beginning of the official canvass, the 4400
poll list or signature pollbook from the precinct in which the 4401
elector is registered to vote to determine if the elector also 4402
cast a provisional ballot under section 3505.181 of the Revised 4403
Code ~~in that precinct on the day of the election.~~ 4404

(2) The board of elections shall count the provisional 4405
ballot, instead of the uniformed services or overseas absent 4406
voter's ballot, of an elector from whom the ~~director~~ board has 4407
received an identification envelope purporting to contain that 4408
elector's voted uniformed services or overseas absent voter's 4409
ballots, if both of the following apply: 4410

(a) The board of elections determines that the signature 4411
of the elector on the outside of the identification envelope in 4412
which the uniformed services or overseas absent voter's ballots 4413
are enclosed does not match the signature of the elector on the 4414
elector's registration form; 4415

(b) The elector cast a provisional ballot in the ~~precinct~~ 4416
~~on the day of the election.~~ 4417

(3) If the board of elections does not receive the sealed 4418
identification envelope purporting to contain the elector's 4419
voted uniformed services or overseas absent voter's ballot by 4420
the ~~applicable deadline established under section 3511.11~~ close 4421
of the polls on the day of the Revised Code election, the 4422
provisional ballot cast under section 3505.181 of the Revised 4423
Code ~~in that precinct on the day of the election~~ shall be 4424

counted as valid, if that provisional ballot is otherwise 4425
determined to be valid pursuant to section 3505.183 of the 4426
Revised Code. 4427

(D) If the board of elections counts a provisional ballot 4428
under division (C) (2) or (3) of this section, the returned 4429
identification envelope of that elector shall not be opened, and 4430
the ballot within that envelope shall not be counted. The 4431
identification envelope shall be endorsed "Not Counted" with the 4432
reason the ballot was not counted. 4433

Sec. 3599.27. (A) No unauthorized person shall have in the 4434
person's possession any voting machine that may be owned or 4435
leased by any county or any of the parts or the keys thereof. No 4436
person shall tamper or attempt to tamper with, deface, impair 4437
the use of, destroy, or otherwise injure in any manner any 4438
voting machine. 4439

No unauthorized person shall have in the person's 4440
possession any marking device, automatic tabulating equipment, 4441
or any of the parts, appurtenances, or accessories thereof. No 4442
person shall tamper or attempt to tamper with, deface, impair 4443
the use of, destroy, or otherwise change or injure in any manner 4444
any marking device, automatic tabulating equipment, or any 4445
appurtenances or accessories thereof. 4446

(B) No person, election official, employee of a board of 4447
elections, public official, public employee, service employee, 4448
vendor, or vendor employee shall connect or attempt to connect 4449
any of the devices listed in this section or in section 3506.23 4450
of the Revised Code to the internet. 4451

(C) Whoever violates division (A) of this section is 4452
guilty of a felony of the fifth degree. Whoever violates 4453

division (B) of this section is guilty of a felony of the fourth 4454
degree punishable by a fine of five thousand dollars or 4455
imprisonment for eighteen months, or both. 4456

Sec. 4507.41. (A) As used in this section, "distinguishing 4457
number" means the identifying number required on every 4458
commercial driver's license, driver's license, temporary 4459
instruction permit, and identification card that is unique to 4460
the holder of the license, permit, or card and is required under 4461
sections 4506.11, 4507.13, and 4507.52 of the Revised Code. 4462

(B) The registrar of motor vehicles shall ensure that the 4463
distinguishing number on a commercial driver's license, driver's 4464
license, temporary instruction permit, or identification card is 4465
arranged as follows: 4466

(1) For any holder that is a citizen of the United States, 4467
the letters appear before the numbers. 4468

(2) For any holder that is not a citizen of the United 4469
States, the numbers appear before the letters. 4470

(C) The registrar shall ensure that any identifying number 4471
unique to each nonrenewable license issued under section 4507.09 4472
of the Revised Code complies with division (B) of this section. 4473

(D) This section applies to both of the following: 4474

(1) Every commercial driver's license, driver's license, 4475
nonrenewable license, temporary instruction permit, or 4476
identification card that is initially issued after the effective 4477
date of this section; 4478

(2) Every commercial driver's license, driver's license, 4479
temporary instruction permit, or identification card that is 4480
renewed after the effective date of this section. Upon such 4481

renewal, the registrar shall issue a holder a new distinguishing 4482
number if necessary to comply with this section. 4483

(E) The registrar may adopt rules in accordance with 4484
Chapter 119. of the Revised Code to implement and administer 4485
this section. 4486

Sec. 4507.50. (A) (1) The registrar of motor vehicles or a 4487
deputy registrar shall issue an identification card to a person 4488
when all of the following apply: 4489

(a) The registrar or deputy registrar receives an 4490
application completed in accordance with section 4507.51 of the 4491
Revised Code and, if the person is under seventeen years of age, 4492
payment of the applicable fees. 4493

(b) The person is a resident or a temporary resident of 4494
this state. 4495

(c) The person is not licensed as an operator of a motor 4496
vehicle in this state or another licensing jurisdiction. 4497

(d) The person does not hold an identification card from 4498
another jurisdiction. 4499

(2) (a) The registrar of motor vehicles or a deputy 4500
registrar may issue a temporary identification card when all of 4501
the following apply: 4502

(i) The registrar or deputy registrar receives an 4503
application completed in accordance with section 4507.51 of the 4504
Revised Code and payment of the applicable fees. 4505

(ii) The person is a resident or temporary resident of 4506
this state. 4507

(iii) The person's Ohio driver's or commercial driver's 4508

license has been suspended or canceled. 4509

(iv) The person does not hold an identification card from 4510
another jurisdiction. 4511

(b) The temporary identification card shall be identical 4512
to an identification card, except that it shall be printed on 4513
its face with a statement that the card is valid during the 4514
effective dates of the suspension or cancellation of the 4515
cardholder's license, or until the birthday of the cardholder in 4516
the fourth year after the date on which it is issued, whichever 4517
is shorter. 4518

(c) The cardholder shall surrender the temporary 4519
identification card to the registrar or any deputy registrar 4520
before the cardholder's driver's or commercial driver's license 4521
is restored or reissued. 4522

(B) (1) Except as provided in division ~~(C) or~~ (D) of this 4523
section, an applicant who is under seventeen years of age shall 4524
pay the following fees prior to issuance of an identification 4525
card or a temporary identification card: 4526

(a) A fee of three dollars and fifty cents if the card 4527
will expire on the applicant's birthday four years after the 4528
date of issuance or a fee of six dollars if the card will expire 4529
on the applicant's birthday eight years after the date of 4530
issuance; 4531

(b) A fee equal to the amount established under section 4532
4503.038 of the Revised Code if the card will expire on the 4533
applicant's birthday four years after the date of issuance or 4534
twice that amount if the card will expire on the applicant's 4535
birthday eight years after the date of issuance; 4536

(c) A fee of one dollar and fifty cents if the card will 4537

expire on the applicant's birthday four years after the date of 4538
issuance or three dollars if the card will expire on the 4539
applicant's birthday eight years after the date of issuance, for 4540
the authentication of the documents required for processing an 4541
identification card or temporary identification card. A deputy 4542
registrar that authenticates the required documents shall retain 4543
the entire amount of the fee. 4544

(2) The fees collected for issuing an identification card 4545
under this section, except for any fees allowed to the deputy 4546
registrar, shall be paid into the state treasury to the credit 4547
of the public safety - highway purposes fund created in section 4548
4501.06 of the Revised Code. 4549

~~(C) A disabled veteran who has a service-connected~~ 4550
~~disability rated at one hundred per cent by the veterans'~~ 4551
~~administration person seventeen years of age or older~~ may apply 4552
to the registrar or a deputy registrar for the issuance to that 4553
~~veteran person~~ of an identification card or a temporary 4554
identification card under this section without payment of any 4555
fee prescribed in division (B) of this section. 4556

~~An application made under this division shall be~~ 4557
~~accompanied by such documentary evidence of disability as the~~ 4558
~~registrar may require by rule.~~ 4559

(D) A resident who is eligible for an identification card 4560
with an expiration date that is in accordance with division (A) 4561
(8) (b) of section 4507.52 of the Revised Code and who is 4562
~~currently unemployed under seventeen years of age~~ may apply to 4563
the registrar or a deputy registrar for the issuance of an 4564
identification card under this section without payment of any 4565
fee as prescribed in division (B) of this section. 4566

An application made under division (D) of this section 4567
shall be accompanied by such documentary evidence of disability 4568
~~and unemployment~~ as the registrar may require by rule. 4569

Sec. 4507.501. ~~In addition to the fees collected under~~ 4570
~~section 4507.50 of the Revised Code, the~~ The registrar or deputy 4571
registrar of motor vehicles shall ask each applicant for an 4572
identification card or duplicate under section 4507.51 of the 4573
Revised Code whether the person wishes to make a one-dollar 4574
voluntary contribution to the second chance trust fund 4575
established under section 2108.34 of the Revised Code. The 4576
registrar or deputy registrar shall also make available to the 4577
person informational material provided by the department of 4578
health on the importance of organ, tissue, and eye donation. 4579

All donations collected under this section during each 4580
month shall be forwarded by the registrar or deputy registrar 4581
not later than the fifth day of the immediately following month 4582
to the treasurer of state, who shall deposit them in the second 4583
chance trust fund. 4584

Sec. 4507.502. (A) (1) On the last business day of every 4585
month, each deputy registrar shall submit a verification form to 4586
the secretary of state that contains the following information: 4587

(a) The number of identification cards and temporary 4588
identification cards issued or renewed under section 4507.50 of 4589
the Revised Code during the course of that month without payment 4590
of any fees; 4591

(b) The number of duplicate, reprint, or replacement 4592
identification cards issued under section 4507.52 of the Revised 4593
Code during the course of that month without payment of any 4594
fees. 4595

(2) The secretary of state shall establish the necessary verification form and the manner in which the form shall be submitted. 4596
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(B) The secretary of state shall reimburse each deputy registrar for the deputy registrar's services in issuing identification cards, based on the information submitted in accordance with division (A) of this section, in the following amounts: 4599
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(1) The amount established under section 4503.038 of the Revised Code for each card issued under section 4507.50 of the Revised Code that will expire on the applicant's birthday four years after the date of issuance; 4604
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(2) Two times the amount established under section 4503.038 of the Revised Code for each card issued under section 4507.50 of the Revised Code that will expire on the applicant's birthday eight years after the date of issuance; 4608
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4610
4611

(3) One dollar and fifty cents for the authentication of documents for each card issued under section 4507.50 of the Revised Code that will expire on the applicant's birthday four years after the date of issuance; 4612
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(4) Three dollars for the authentication of documents for each card issued under section 4507.50 of the Revised Code that will expire on the applicant's birthday eight years after the date of issuance; 4616
4617
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(5) The amount established under section 4503.038 of the Revised Code for each duplicate, reprint, or replacement card issued under section 4507.52 of the Revised Code. 4620
4621
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(C) The secretary of state may adopt any rules necessary to implement and administer this section. 4623
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Sec. 4507.51. (A) (1) Every application for an 4625
identification card or duplicate shall be made on a form 4626
furnished or in a manner specified by the registrar of motor 4627
vehicles, shall be signed by the applicant, and by the 4628
applicant's parent or guardian if the applicant is under 4629
eighteen years of age, and shall contain the following 4630
information pertaining to the applicant: name, date of birth, 4631
sex, general description including the applicant's height, 4632
weight, hair color, and eye color, address, country of 4633
citizenship, and social security number. The application also 4634
shall include, for an applicant who has not already certified 4635
the applicant's willingness to make an anatomical gift under 4636
section 2108.05 of the Revised Code, whether the applicant 4637
wishes to certify willingness to make such an anatomical gift 4638
and shall include information about the requirements of sections 4639
2108.01 to 2108.29 of the Revised Code that apply to persons who 4640
are less than eighteen years of age. The statement regarding 4641
willingness to make such a donation shall be given no 4642
consideration in the decision of whether to issue an 4643
identification card. Each applicant applying in person at a 4644
deputy registrar office shall be photographed in color at the 4645
time of making application. 4646

(2) (a) The application also shall state whether the 4647
applicant has executed a valid durable power of attorney for 4648
health care pursuant to sections 1337.11 to 1337.17 of the 4649
Revised Code or has executed a declaration governing the use or 4650
continuation, or the withholding or withdrawal, of life- 4651
sustaining treatment pursuant to sections 2133.01 to 2133.15 of 4652
the Revised Code and, if the applicant has executed either type 4653
of instrument, whether the applicant wishes the identification 4654
card issued to indicate that the applicant has executed the 4655

instrument. 4656

(b) The application also shall state whether the applicant 4657
is a veteran, active duty, or reservist of the armed forces of 4658
the United States and, if the applicant is such, whether the 4659
applicant wishes the identification card issued to indicate that 4660
the applicant is a veteran, active duty, or reservist of the 4661
armed forces of the United States by a military designation on 4662
the identification card. 4663

(3) The registrar or deputy registrar, in accordance with 4664
section 3503.11 of the Revised Code, shall register as an 4665
elector any person who applies for an identification card or 4666
duplicate if the applicant is eligible and wishes to be 4667
registered as an elector. The decision of an applicant whether 4668
to register as an elector shall be given no consideration in the 4669
decision of whether to issue the applicant an identification 4670
card or duplicate. 4671

(B) Except as provided in section 4507.061 of the Revised 4672
Code, the application for an identification card or duplicate 4673
shall be filed in the office of the registrar or deputy 4674
registrar. Each applicant shall present documentary evidence as 4675
required by the registrar of the applicant's age and identity, 4676
and the applicant shall swear that all information given is 4677
true. An identification card issued by the department of 4678
rehabilitation and correction under section 5120.59 of the 4679
Revised Code or an identification card issued by the department 4680
of youth services under section 5139.511 of the Revised Code 4681
shall be sufficient documentary evidence under this division 4682
upon verification of the applicant's social security number by 4683
the registrar or a deputy registrar. Upon issuing an 4684
identification card under this section for a person who has been 4685

issued an identification card under section 5120.59 or section 4686
5139.511 of the Revised Code, the registrar or deputy registrar 4687
shall destroy the identification card issued under section 4688
5120.59 or section 5139.511 of the Revised Code. 4689

All applications for an identification card or duplicate 4690
under this section shall be filed in duplicate, and if submitted 4691
to a deputy registrar, a copy shall be forwarded to the 4692
registrar. The registrar shall prescribe rules for the manner in 4693
which a deputy registrar is to file and maintain applications 4694
and other records. The registrar shall maintain a suitable, 4695
indexed record of all applications denied and cards issued or 4696
canceled. 4697

(C) In addition to any other information it contains, the 4698
form furnished by the registrar of motor vehicles for an 4699
application for an identification card or duplicate shall inform 4700
applicants that the applicant must present a copy of the 4701
applicant's DD-214 or an equivalent document in order to qualify 4702
to have the card or duplicate indicate that the applicant is an 4703
honorably discharged veteran of the armed forces of the United 4704
States based on a request made pursuant to division (A)(2)(b) of 4705
this section. 4706

Sec. 4507.52. (A)(1) Each identification card issued by 4707
the registrar of motor vehicles or a deputy registrar shall 4708
display a distinguishing number assigned to the cardholder, and 4709
shall display the following inscription: 4710

"STATE OF OHIO IDENTIFICATION CARD 4711

This card is not valid for the purpose of operating a 4712
motor vehicle. It is provided solely for the purpose of 4713
establishing the identity of the bearer described on the card, 4714

who currently is not licensed to operate a motor vehicle in the 4715
state of Ohio." 4716

(2) The identification card shall display substantially 4717
the same information as contained in the application and as 4718
described in division (A)(1) of section 4507.51 of the Revised 4719
Code, but shall not display the cardholder's social security 4720
number unless the cardholder specifically requests that the 4721
cardholder's social security number be displayed on the card. If 4722
federal law requires the cardholder's social security number to 4723
be displayed on the identification card, the social security 4724
number shall be displayed on the card notwithstanding this 4725
section. 4726

(3) The identification card also shall display the color 4727
photograph of the cardholder. 4728

(4) If the cardholder has executed a durable power of 4729
attorney for health care or a declaration governing the use or 4730
continuation, or the withholding or withdrawal, of life- 4731
sustaining treatment and has specified that the cardholder 4732
wishes the identification card to indicate that the cardholder 4733
has executed either type of instrument, the card also shall 4734
display any symbol chosen by the registrar to indicate that the 4735
cardholder has executed either type of instrument. 4736

(5) If the cardholder has specified that the cardholder 4737
wishes the identification card to indicate that the cardholder 4738
is a veteran, active duty, or reservist of the armed forces of 4739
the United States and has presented a copy of the cardholder's 4740
DD-214 form or an equivalent document, the card also shall 4741
display any symbol chosen by the registrar to indicate that the 4742
cardholder is a veteran, active duty, or reservist of the armed 4743
forces of the United States. 4744

(6) The card shall be designed as to prevent its 4745
reproduction or alteration without ready detection. 4746

(7) The identification card for persons under twenty-one 4747
years of age shall have characteristics prescribed by the 4748
registrar distinguishing it from that issued to a person who is 4749
twenty-one years of age or older, except that an identification 4750
card issued to a person who applies no more than thirty days 4751
before the applicant's twenty-first birthday shall have the 4752
characteristics of an identification card issued to a person who 4753
is twenty-one years of age or older. 4754

(8) (a) Except as provided in division (A) (8) (b) of this 4755
section, every identification card issued to a resident of this 4756
state shall expire, unless canceled or surrendered earlier, on 4757
the birthday of the cardholder in the fourth or the eighth year 4758
after the date on which it is issued, based on the period of 4759
renewal requested by the applicant. 4760

(b) Upon request, the registrar or a deputy registrar 4761
shall issue an identification card to a resident of this state 4762
who is permanently or irreversibly disabled that shall expire, 4763
unless canceled or surrendered earlier, on the birthday of the 4764
cardholder in the eighth year after the date on which it is 4765
issued. The registrar shall issue a reminder notice to a 4766
cardholder, at the last known address of the cardholder, six 4767
months before the identification card is scheduled to expire. 4768
The registrar shall adopt rules governing the documentation a 4769
cardholder shall submit to certify that the cardholder is 4770
permanently or irreversibly disabled. 4771

As used in this section, "permanently or irreversibly 4772
disabled" means a condition of disability from which there is no 4773
present indication of recovery. 4774

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

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

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

(B) (1) If a card is lost, destroyed, or mutilated, the person to whom the card was issued may obtain a duplicate by doing both of the following:

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

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

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

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

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

(5) (a) When a cardholder who is under seventeen years of age applies for a duplicate or reprint or obtains a replacement identification card, the cardholder shall pay a fee of two dollars and fifty cents. ~~A-Regarding a cardholder who is under~~ seventeen years of age, a deputy registrar shall be allowed an additional fee equal to the amount established under section 4503.038 of the Revised Code for issuing a duplicate or replacement identification card.

(b) ~~A disabled veteran who is a cardholder and has a service connected disability rated at one hundred per cent by the veterans' administration~~ cardholder who is seventeen years of age or older may apply to the registrar or a deputy registrar for the issuance of a duplicate or replacement identification card without payment of any fee prescribed in this section or may apply to the registrar for a reprint identification card without payment of any fee prescribed in this section.

(c) A resident who is permanently or irreversibly disabled ~~and who is unemployed and who is under seventeen years of age~~ may apply to the registrar or a deputy registrar for the issuance of a duplicate or replacement identification card without payment of any fee prescribed in this section or may apply to the registrar for a reprint identification card without payment of any fee prescribed in this section.

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

(C) The registrar shall cancel any card upon determining 4833
that the card was obtained unlawfully, issued in error, or was 4834
altered. The registrar also shall cancel any card that is 4835
surrendered to the registrar or to a deputy registrar after the 4836
holder has obtained a duplicate, reprint, replacement, or 4837
driver's or commercial driver's license. 4838

(D) (1) No agent of the state or its political subdivisions 4839
shall condition the granting of any benefit, service, right, or 4840
privilege upon the possession by any person of an identification 4841
card. Nothing in this section shall preclude any publicly 4842
operated or franchised transit system from using an 4843
identification card for the purpose of granting benefits or 4844
services of the system. 4845

(2) No person shall be required to apply for, carry, or 4846
possess an identification card. 4847

(E) Except in regard to an identification card issued to a 4848
person who applies no more than thirty days before the 4849
applicant's twenty-first birthday, neither the registrar nor any 4850
deputy registrar shall issue an identification card to a person 4851
under twenty-one years of age that does not have the 4852
characteristics prescribed by the registrar distinguishing it 4853
from the identification card issued to persons who are twenty- 4854
one years of age or older. 4855

(F) Whoever violates division (E) of this section is 4856
guilty of a minor misdemeanor. 4857

Section 2. That existing sections 3501.01, 3501.05, 4858
3501.11, 3501.22, 3503.10, 3503.11, 3503.14, 3503.16, 3503.19, 4859
3503.20, 3503.28, 3505.08, 3505.18, 3505.181, 3505.182, 4860
3505.183, 3506.05, 3506.07, 3506.10, 3506.14, 3506.21, 3506.23, 4861

3509.01, 3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 4862
3509.07, 3509.08, 3509.09, 3509.10, 3511.02, 3511.04, 3511.05, 4863
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 4864
3599.27, 4507.50, 4507.501, 4507.51, and 4507.52 of the Revised 4865
Code are hereby repealed. 4866

Section 3. That section 111.31 of the Revised Code is 4867
hereby repealed. 4868

Section 4. (A) On the effective date of this section, or 4869
as soon as possible thereafter, the Secretary of State shall 4870
certify to the Director of Budget and Management the cash 4871
balances of, and current existing encumbrances against, the 4872
Absent Voter's Ballot Application Mailing Fund (Fund 5RG0). The 4873
Secretary of State shall also specify the sources of revenue 4874
that make up the remaining cash balance. 4875

(B) Upon receiving the certification as required in 4876
division (A) of this section, the Director of Budget and 4877
Management shall (1) cancel any existing encumbrances against 4878
Fund 5RG0 appropriation item 050627, Absentee Voter Ballot 4879
Application Mailing, and (2) shall transfer the remaining cash 4880
balance in the fund back to the original source of the revenue 4881
as certified by the Secretary of State. Upon the cancellation of 4882
the encumbrances and completion of the cash transfers, the fund 4883
is hereby abolished. 4884

Section 5. The General Assembly, applying the principle 4885
stated in division (B) of section 1.52 of the Revised Code that 4886
amendments are to be harmonized if reasonably capable of 4887
simultaneous operation, finds that the following sections, 4888
presented in this act as composites of the sections as amended 4889
by the acts indicated, are the resulting versions of the 4890
sections in effect prior to the effective date of the sections 4891

as presented in this act:	4892
Section 3505.08 of the Revised Code as amended by both	4893
S.B. 109 and S.B. 193 of the 130th General Assembly.	4894
Section 3505.18 of the Revised Code as amended by S.B. 47,	4895
S.B. 109, and S.B. 216, all of the 130th General Assembly.	4896
Section 3511.10 of the Revised Code as amended by both	4897
S.B. 205 and S.B. 238 of the 130th General Assembly.	4898