

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 437

Representatives Lear, Lorenz

A BILL

To amend sections 3501.01, 3503.09, 3503.10, 1
3503.11, 3503.14, 3503.15, 3503.151, 3503.152, 2
3503.153, 3503.16, 3503.19, 3503.20, 3503.23, 3
3503.28, 3505.181, 3509.02, 3509.04, 3509.07, 4
3509.08, 3513.041, 3513.05, 3513.07, 3513.18, 5
3513.19, 3513.191, 3513.257, 3517.012, and 6
3599.12; to enact section 3503.071; and to 7
repeal sections 3513.192, 3513.20, and 3517.013 8
of the Revised Code to require an elector to 9
register as a member of a political party at 10
least ninety days in advance in order to 11
participate in that party's primary election and 12
to require a primary candidate to have voted in 13
that party's last primary. 14

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

Section 1. That sections 3501.01, 3503.09, 3503.10, 15
3503.11, 3503.14, 3503.15, 3503.151, 3503.152, 3503.153, 16
3503.16, 3503.19, 3503.20, 3503.23, 3503.28, 3505.181, 3509.02, 17
3509.04, 3509.07, 3509.08, 3513.041, 3513.05, 3513.07, 3513.18, 18
3513.19, 3513.191, 3513.257, 3517.012, and 3599.12 be amended 19
and section 3503.071 of the Revised Code be enacted to read as 20

follows: 21

Sec. 3501.01. As used in the sections of the Revised Code 22
relating to elections and political communications: 23

(A) "General election" means the election held on the 24
first Tuesday after the first Monday in each November. 25

(B) "Regular municipal election" means the election held 26
on the first Tuesday after the first Monday in November in each 27
odd-numbered year. 28

(C) "Regular state election" means the election held on 29
the first Tuesday after the first Monday in November in each 30
even-numbered year. 31

(D) "Special election" means any election other than those 32
elections defined in other divisions of this section. A special 33
election may be held only on the first Tuesday after the first 34
Monday in May or November, on the first Tuesday after the first 35
Monday in August in accordance with section 3501.022 of the 36
Revised Code, or on the day authorized by a particular municipal 37
or county charter for the holding of a primary election, except 38
that in any year in which a presidential primary election is 39
held, no special election shall be held in May, except as 40
authorized by a municipal or county charter, but may be held on 41
the third Tuesday after the first Monday in March. 42

(E) (1) "Primary" or "primary election" means an election 43
held for the purpose of nominating persons as candidates of 44
political parties for election to offices, and for the purpose 45
of electing persons as members of the controlling committees of 46
political parties and as delegates and alternates to the 47
conventions of political parties. Primary elections shall be 48
held on the first Tuesday after the first Monday in May of each 49

year except in years in which a presidential primary election is 50
held. 51

(2) "Presidential primary election" means a primary 52
election as defined by division (E)(1) of this section at which 53
an election is held for the purpose of choosing delegates and 54
alternates to the national conventions of the major political 55
parties pursuant to section 3513.12 of the Revised Code. Unless 56
otherwise specified, presidential primary elections are included 57
in references to primary elections. In years in which a 58
presidential primary election is held, all primary elections 59
shall be held on the third Tuesday after the first Monday in 60
March except as otherwise authorized by a municipal or county 61
charter. 62

(F) "Political party" means any group of voters meeting 63
the requirements set forth in section 3517.01 of the Revised 64
Code for the formation and existence of a political party. 65

(1) "Major political party" means any political party 66
organized under the laws of this state whose candidate for 67
governor or nominees for presidential electors received not less 68
than twenty per cent of the total vote cast for such office at 69
the most recent regular state election. 70

(2) "Minor political party" means any political party 71
organized under the laws of this state that meets either of the 72
following requirements: 73

(a) Except as otherwise provided in this division, the 74
political party's candidate for governor or nominees for 75
presidential electors received less than twenty per cent but not 76
less than three per cent of the total vote cast for such office 77
at the most recent regular state election. A political party 78

that meets the requirements of this division remains a political 79
party for a period of four years after meeting those 80
requirements. 81

(b) The political party has filed with the secretary of 82
state, subsequent to its failure to meet the requirements of 83
division (F) (2) (a) of this section, a petition that meets the 84
requirements of section 3517.01 of the Revised Code. 85

A newly formed political party shall be known as a minor 86
political party until the time of the first election for 87
governor or president which occurs not less than twelve months 88
subsequent to the formation of such party, after which election 89
the status of such party shall be determined by the vote for the 90
office of governor or president. 91

(G) "Dominant party in a precinct" or "dominant political 92
party in a precinct" means that political party whose candidate 93
for election to the office of governor at the most recent 94
regular state election at which a governor was elected received 95
more votes than any other person received for election to that 96
office in such precinct at such election. 97

(H) "Candidate" means any qualified person certified in 98
accordance with the provisions of the Revised Code for placement 99
on the official ballot of a primary, general, or special 100
election to be held in this state, or any qualified person who 101
claims to be a write-in candidate, or who knowingly assents to 102
being represented as a write-in candidate by another at either a 103
primary, general, or special election to be held in this state. 104

(I) "Independent candidate" means any candidate who ~~claims~~ 105
~~is not to be~~ affiliated with a political party, and whose name 106
has been certified on the office-type ballot at a general or 107

special election through the filing of a statement of candidacy 108
and nominating petition, as prescribed in section 3513.257 of 109
the Revised Code. 110

(J) "Nonpartisan candidate" means any candidate whose name 111
is required, pursuant to section 3505.04 of the Revised Code, to 112
be listed on the nonpartisan ballot, including all candidates 113
for judge of a municipal court, county court, or court of common 114
pleas, for member of any board of education, for municipal or 115
township offices in which primary elections are not held for 116
nominating candidates by political parties, and for offices of 117
municipal corporations having charters that provide for separate 118
ballots for elections for these offices. 119

(K) "Party candidate" means any candidate who ~~claims to be~~ 120
~~a member of~~ is affiliated with a political party and who has 121
been certified to appear on the office-type ballot at a general 122
or special election as the nominee of a political party because 123
the candidate has won the primary election of the candidate's 124
party for the public office the candidate seeks, has been 125
nominated under section 3517.012, or is selected by party 126
committee in accordance with section 3513.31 of the Revised 127
Code. 128

(L) "Officer of a political party" includes, but is not 129
limited to, any member, elected or appointed, of a controlling 130
committee, whether representing the territory of the state, a 131
district therein, a county, township, a city, a ward, a 132
precinct, or other territory, of a major or minor political 133
party. 134

(M) "Question or issue" means any question or issue 135
certified in accordance with the Revised Code for placement on 136
an official ballot at a general or special election to be held 137

in this state. 138

(N) "Elector" or "qualified elector" means a person having 139
the qualifications provided by law to be entitled to vote. 140

(O) "Voter" means an elector who votes at an election. 141

(P) "Voting residence" means that place of residence of an 142
elector which shall determine the precinct in which the elector 143
may vote. 144

(Q) "Precinct" means a district within a county 145
established by the board of elections of such county within 146
which all qualified electors having a voting residence therein 147
may vote at the same polling place. 148

(R) "Polling place" means that place provided for each 149
precinct at which the electors having a voting residence in such 150
precinct may vote. 151

(S) "Board" or "board of elections" means the board of 152
elections appointed in a county pursuant to section 3501.06 of 153
the Revised Code. 154

(T) "Political subdivision" means a county, township, 155
city, village, or school district. 156

(U) "Election officer" or "election official" means any of 157
the following: 158

(1) Secretary of state; 159

(2) Employees of the secretary of state serving the 160
division of elections in the capacity of attorney, 161
administrative officer, administrative assistant, elections 162
administrator, office manager, or clerical supervisor; 163

(3) Director of a board of elections; 164

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

department of developmental disabilities, the opportunities for 194
Ohioans with disabilities agency, and any other agency the 195
secretary of state designates. "Designated agency" does not 196
include public high schools and vocational schools, public 197
libraries, or the office of a county treasurer. 198

(Y) "National Voter Registration Act of 1993" means the 199
"National Voter Registration Act of 1993," 107 Stat. 77, 42 200
U.S.C.A. 1973gg. 201

(Z) "Voting Rights Act of 1965" means the "Voting Rights 202
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 203

(AA) (1) "Photo identification" means one of the following 204
documents that includes the individual's name and photograph and 205
is not expired: 206

(a) An Ohio driver's license, state identification card, 207
or interim identification form issued by the registrar of motor 208
vehicles or a deputy registrar under Chapter 4506. or 4507. of 209
the Revised Code; 210

(b) A United States passport or passport card; 211

(c) A United States military identification card, Ohio 212
national guard identification card, or United States department 213
of veterans affairs identification card. 214

(2) A "copy" of an individual's photo identification means 215
images of both the front and back of a document described in 216
division (AA) (1) of this section, except that if the document is 217
a United States passport, a copy of the photo identification 218
means an image of the passport's identification page that 219
includes the individual's name, photograph, and other 220
identifying information and the passport's expiration date. 221

(BB) "Driver's license" means a license or permit issued 222
by the registrar or a deputy registrar under Chapter 4506. or 223
4507. of the Revised Code that authorizes an individual to 224
drive. "Driver's license" includes a driver's license, 225
commercial driver's license, probationary license, restricted 226
license, motorcycle operator's license, or temporary instruction 227
permit identification card. "Driver's license" does not include 228
a limited term license issued under section 4507.09 of the 229
Revised Code. 230

(CC) "State identification card" means a card issued by 231
the registrar or a deputy registrar under sections 4507.50 to 232
4507.52 of the Revised Code. 233

(DD) "Interim identification form" means the document 234
issued by the registrar or a deputy registrar to an applicant 235
for a driver's license or state identification card that 236
contains all of the information otherwise found on the license 237
or card and that an applicant may use as a form of 238
identification until the physical license or card arrives in the 239
mail. 240

Sec. 3503.071. (A) Subject to division (D) of this 241
section, an elector's political party affiliation shall be 242
determined based on the most recent of the following: 243

(1) The elector's affiliation, if any, with a currently 244
recognized political party as indicated on the elector's most 245
recent voter registration application or voter registration 246
update form; 247

(2) In the case of an elector who is registered to vote in 248
this state before the effective date of this section, the 249
currently recognized political party, if any, whose ballot the 250

elector most recently cast at a primary election held during the 251
calendar year of the effective date of this section or the 252
previous two calendar years. 253

(B) (1) Each voter registration application and voter 254
registration update form prescribed by the secretary of state 255
shall include all of the following: 256

(a) A list of the political parties that are recognized in 257
this state, accompanied by boxes for the applicant to check to 258
select a party with which the applicant wishes to be affiliated; 259

(b) A space for the applicant to write the name of a 260
recognized political party that is not listed on the form, if 261
the applicant wishes to be affiliated with that party; 262

(c) A box for the applicant to check to indicate that the 263
applicant does not wish to be affiliated with any political 264
party; 265

(d) A notice that the applicant may select or write the 266
name of only one recognized political party and that the 267
applicant is not required to select a political party; 268

(e) A notice that if the applicant is submitting a change 269
of political party affiliation, the applicant must submit the 270
form not later than the ninetieth day before the day of the next 271
primary election in order to vote the applicant's new political 272
party's ballot at that election. 273

(2) An applicant who submits a voter registration 274
application or update form shall be considered unaffiliated if 275
either of the following apply: 276

(a) The applicant indicates on the application or form 277
that the applicant does not wish to be affiliated with any 278

political party. 279

(b) The applicant is not currently registered as 280
affiliated with a political party, does not select or write the 281
name of a recognized political party, and does not indicate that 282
the applicant does not wish to be affiliated with any political 283
party. 284

(3) An applicant who submits a voter registration update 285
form shall remain registered as affiliated with the applicant's 286
current political party if the applicant currently is affiliated 287
with a political party, does not select or write the name of a 288
recognized political party, and does not indicate that the 289
applicant does not wish to be affiliated with any political 290
party. 291

(C) (1) A registered elector who wishes to change the 292
elector's political party affiliation in order to vote in a 293
party's primary election shall submit a voter registration 294
update form reflecting the change of political party affiliation 295
not later than the ninetieth day before the day of the primary 296
election. The board of elections shall record the elector's date 297
of affiliation change as the date the elector submits the form. 298

(2) When an elector's registration in this state is 299
canceled and the elector subsequently submits a new voter 300
registration application that indicates a different political 301
party affiliation than the elector's previous affiliation 302
determined under division (A) of this section, the board of 303
elections shall record the elector's date of affiliation change 304
as the date the elector submits the new voter registration 305
application, as though the elector had submitted a voter 306
registration update form. 307

(3) When an elector who has not been previously registered 308
to vote in this state registers to vote, the board of elections 309
shall not record a date of affiliation change for the elector. 310

(D) (1) An elector is not eligible to vote any political 311
party's ballot at a primary election or to sign or circulate a 312
petition of candidacy for party nomination or election under 313
section 3513.05 of the Revised Code if the elector's date of 314
affiliation change is after the ninetieth day before the day of 315
the primary election. 316

(2) An elector who is ineligible to vote a political 317
party's ballot under division (D) (1) of this section may vote on 318
any question or issue appearing on the ballot at a special 319
election held on the day of the primary election. 320

Sec. 3503.09. (A) (1) The secretary of state shall adopt 321
rules for the electronic transmission by boards of elections, 322
designated agencies, offices of deputy registrars of motor 323
vehicles, public high schools and vocational schools, public 324
libraries, and offices of county treasurers, where applicable, 325
of ~~name and residence changes for voter registration records in~~ 326
~~the statewide voter registration database~~ update forms. 327

(2) The secretary of state shall adopt rules for the 328
purpose of improving the speed of processing new voter 329
registrations that permit information from a voter registration 330
application received by a designated agency or an office of 331
deputy registrar of motor vehicles to be made available 332
electronically, in addition to requiring the original voter 333
registration application to be transmitted to the applicable 334
board of elections under division (E) (2) of section 3503.10 or 335
section 3503.11 of the Revised Code. 336

(B) Rules adopted under division (A) of this section shall 337
do all of the following: 338

(1) Prohibit any direct electronic connection between a 339
designated agency, office of deputy registrar of motor vehicles, 340
public high school or vocational school, public library, or 341
office of a county treasurer and the statewide voter 342
registration database; 343

(2) Require any updated voter registration information to 344
be verified by the secretary of state or a board of elections 345
before the information is added to the statewide voter 346
registration database for the purpose of modifying an existing 347
voter registration; 348

(3) Require each designated agency or office of deputy 349
registrar of motor vehicles that transmits voter registration 350
information electronically to transmit an identifier for data 351
relating to each new voter registration that shall be used by 352
the secretary of state or a board of elections to match the 353
electronic data to the original voter registration application. 354

Sec. 3503.10. (A) Each designated agency shall designate 355
one person within that agency to serve as coordinator for the 356
voter registration program within the agency and its 357
departments, divisions, and programs. The designated person 358
shall be trained under a program designed by the secretary of 359
state and shall be responsible for administering all aspects of 360
the voter registration program for that agency as prescribed by 361
the secretary of state. The designated person shall receive no 362
additional compensation for performing such duties. 363

(B) Every designated agency, public high school and 364
vocational school, public library, and office of a county 365

treasurer shall provide in each of its offices or locations 366
voter registration applications and assistance in the 367
registration of persons qualified to register to vote, in 368
accordance with this chapter. 369

(C) Every designated agency shall distribute to its 370
applicants, prior to or in conjunction with distributing a voter 371
registration application, a form prescribed by the secretary of 372
state that includes all of the following: 373

(1) The question, "Do you want to register to vote or 374
update your current voter registration?"--followed by boxes for 375
the applicant to indicate whether the applicant would like to 376
register or decline to register to vote, and the statement, 377
highlighted in bold print, "If you do not check either box, you 378
will be considered to have decided not to register to vote at 379
this time."; 380

(2) If the agency provides public assistance, the 381
statement, "Applying to register or declining to register to 382
vote will not affect the amount of assistance that you will be 383
provided by this agency."; 384

(3) The statement, "If you would like help in filling out 385
the voter registration application form, we will help you. The 386
decision whether to seek or accept help is yours. You may fill 387
out the application form in private."; 388

(4) The statement, "If you believe that someone has 389
interfered with your right to register or to decline to register 390
to vote, your right to privacy in deciding whether to register 391
or in applying to register to vote, or your right to choose your 392
own political party or other political preference, you may file 393
a complaint with the prosecuting attorney of your county or with 394

the secretary of state," with the address and telephone number 395
for each such official's office. 396

(D) Each designated agency shall distribute a voter 397
registration form prescribed by the secretary of state to each 398
applicant with each application for service or assistance, and 399
with each written application or form for recertification, 400
renewal, or change of address. 401

(E) Each designated agency shall do all of the following: 402

(1) Have employees trained to administer the voter 403
registration program in order to provide to each applicant who 404
wishes to register to vote and who accepts assistance, the same 405
degree of assistance with regard to completion of the voter 406
registration application as is provided by the agency with 407
regard to the completion of its own form; 408

(2) Accept completed voter registration applications, and 409
voter registration ~~change of residence forms, and voter~~ 410
~~registration change of name update~~ forms, regardless of whether 411
the application or form was distributed by the designated 412
agency, for transmittal to the office of the board of elections 413
in the county in which the agency is located. Each designated 414
agency and the appropriate board of elections shall establish a 415
method by which the voter registration applications and other 416
voter registration forms are transmitted to that board of 417
elections within five days after being accepted by the agency. 418

(3) If the designated agency is one that is primarily 419
engaged in providing services to persons with disabilities under 420
a state-funded program, and that agency provides services to a 421
person with disabilities at a person's home, provide the 422
services described in divisions (E) (1) and (2) of this section 423

at the person's home; 424

(4) Keep as confidential, except as required by the 425
secretary of state for record-keeping purposes, the identity of 426
an agency through which a person registered to vote or updated 427
the person's voter registration records, and information 428
relating to a declination to register to vote made in connection 429
with a voter registration application issued by a designated 430
agency. 431

(F) The secretary of state shall prepare and transmit 432
written instructions on the implementation of the voter 433
registration program within each designated agency, public high 434
school and vocational school, public library, and office of a 435
county treasurer. The instructions shall include directions as 436
follows: 437

(1) That each person designated to assist with voter 438
registration maintain strict neutrality with respect to a 439
person's political philosophies, a person's right to register or 440
decline to register, and any other matter that may influence a 441
person's decision to register or not register to vote; 442

(2) That each person designated to assist with voter 443
registration not seek to influence a person's decision to 444
register or not register to vote, not display or demonstrate any 445
political preference or party allegiance, and not make any 446
statement to a person or take any action the purpose or effect 447
of which is to lead a person to believe that a decision to 448
register or not register has any bearing on the availability of 449
services or benefits offered, on the grade in a particular class 450
in school, or on credit for a particular class in school; 451

(3) Regarding when and how to assist a person in 452

completing the voter registration application, what to do with 453
the completed voter registration application or voter 454
registration update form, and when the application must be 455
transmitted to the appropriate board of elections; 456

(4) Regarding what records must be kept by the agency and 457
where and when those records should be transmitted to satisfy 458
reporting requirements imposed on the secretary of state under 459
the National Voter Registration Act of 1993; 460

(5) Regarding whom to contact to obtain answers to 461
questions about voter registration forms and procedures. 462

(G) If the voter registration activity is part of an in- 463
class voter registration program in a public high school or 464
vocational school, whether prescribed by the secretary of state 465
or independent of the secretary of state, the board of education 466
shall do all of the following: 467

(1) Establish a schedule of school days and hours during 468
these days when the person designated to assist with voter 469
registration shall provide voter registration assistance; 470

(2) Designate a person to assist with voter registration 471
from the public high school's or vocational school's staff; 472

(3) Make voter registration applications and materials 473
available, as outlined in the voter registration program 474
established by the secretary of state pursuant to section 475
3501.05 of the Revised Code; 476

(4) Distribute the statement, "applying to register or 477
declining to register to vote, or registering as affiliated with 478
a particular political party or registering to vote and 479
remaining unaffiliated, will not affect or be a condition of 480
your receiving a particular grade in or credit for a school 481

course or class, participating in a curricular or 482
extracurricular activity, receiving a benefit or privilege, or 483
participating in a program or activity otherwise available to 484
pupils enrolled in this school district's schools."; 485

(5) Establish a method by which the voter registration 486
application and other voter registration forms are transmitted 487
to the board of elections within five days after being accepted 488
by the public high school or vocational school. 489

(H) Any person employed by the designated agency, public 490
high school or vocational school, public library, or office of a 491
county treasurer may be designated to assist with voter 492
registration pursuant to this section. The designated agency, 493
public high school or vocational school, public library, or 494
office of a county treasurer shall provide the designated 495
person, and make available such space as may be necessary, 496
without charge to the county or state. 497

(I) The secretary of state shall prepare and cause to be 498
displayed in a prominent location in each designated agency a 499
notice that identifies the person designated to assist with 500
voter registration, the nature of that person's duties, and 501
where and when that person is available for assisting in the 502
registration of voters. 503

A designated agency may furnish additional supplies and 504
services to disseminate information to increase public awareness 505
of the existence of a person designated to assist with voter 506
registration in every designated agency. 507

(J) This section does not limit any authority a board of 508
education, superintendent, or principal has to allow, sponsor, 509
or promote voluntary election registration programs within a 510

high school or vocational school, including programs in which 511
pupils serve as persons designated to assist with voter 512
registration, provided that no pupil is required to participate. 513

(K) Each public library and office of the county treasurer 514
shall establish a method by which voter registration forms are 515
transmitted to the board of elections within five days after 516
being accepted by the public library or office of the county 517
treasurer. 518

(L) The department of job and family services and its 519
departments, divisions, and programs shall limit administration 520
of the aspects of the voter registration program for the 521
department to the requirements prescribed by the secretary of 522
state and the requirements of this section and the National 523
Voter Registration Act of 1993. 524

Sec. 3503.11. When any person applies for a driver's 525
license, commercial driver's license, a state of Ohio 526
identification card issued under section 4507.50 of the Revised 527
Code, or motorcycle operator's license or endorsement, or the 528
renewal or duplicate of any license or endorsement under Chapter 529
4506. or 4507. of the Revised Code, the registrar of motor 530
vehicles or deputy registrar shall offer the applicant the 531
opportunity to register to vote or to update the applicant's 532
voter registration. The registrar of motor vehicles or deputy 533
registrar also shall make available to all other customers voter 534
registration applications and ~~change of residence and change of~~ 535
~~name,~~ voter registration update forms, but is not required to 536
offer assistance to these customers in completing a voter 537
registration application or other form. 538

The deputy registrar shall send any registration 539
application or any ~~change of residence or change of name~~ voter 540

registration update form that was completed and submitted in 541
paper form to the deputy registrar to the board of elections of 542
the county in which the office of the deputy registrar is 543
located, within five days after accepting the application or 544
other form. The registrar shall send any completed registration 545
application received at the bureau of motor vehicles 546
headquarters location and any completed ~~change of residence or~~ 547
~~change of name~~ voter registration update form processed 548
electronically in systems or programs operated and maintained by 549
the bureau of motor vehicles to the secretary of state within 550
five days after accepting the application or other form. 551

The registrar shall collect from each deputy registrar 552
through the reports filed under division (J) of section 4503.03 553
of the Revised Code and transmit to the secretary of state 554
information on the number of voter registration applications and 555
~~change of residence or change of name~~ voter registration update 556
forms completed or declined, and any additional information 557
required by the secretary of state to comply with the National 558
Voter Registration Act of 1993. No information relating to an 559
applicant's decision to decline to register or update the 560
applicant's voter registration at the office of the registrar or 561
deputy registrar may be used for any purpose other than voter 562
registration record-keeping required by the secretary of state, 563
and all such information shall be kept confidential. 564

The secretary of state shall prescribe voter registration 565
applications and ~~change of residence and change of name~~ voter 566
registration update forms for use by the bureau of motor 567
vehicles. The bureau of motor vehicles shall supply all of its 568
deputy registrars with a sufficient number of voter registration 569
applications and ~~change of residence and change of name~~ voter 570
registration update forms. 571

Sec. 3503.14. ~~(A)~~ (1) The secretary of state shall 572
prescribe the form and content of the voter registration, ~~change~~ 573
~~of residence~~, and ~~change of name~~ voter registration update forms 574
used in this state. The forms shall meet the requirements of the 575
National Voter Registration Act of 1993 and shall include spaces 576
for all of the following: 577

~~(1)~~ (a) The voter's name; 578

~~(2)~~ (b) The voter's address; 579

~~(3)~~ (c) The current date; 580

~~(4)~~ (d) The voter's date of birth; 581

~~(5)~~ (e) The voter to provide at least one of the following 582
forms of identification: 583

~~(a)~~ (i) The voter's Ohio driver's license or state 584
identification card number; 585

~~(b)~~ (ii) The last four digits of the voter's social 586
security number. 587

~~(6)~~ (f) The voter's signature. 588

(2) The form shall include the political party affiliation 589
fields and notices described in division (B)(1) of section 590
3503.071 of the Revised Code. 591

(3) The registration form shall include a space on which 592
the person registering an applicant shall sign the person's name 593
and provide the person's address and a space on which the person 594
registering an applicant shall name the employer who is 595
employing that person to register the applicant. 596

(4) Except for forms prescribed by the secretary of state 597
under section 3503.11 of the Revised Code, the secretary of 598

state shall permit boards of elections to produce forms that 599
have subdivided spaces for each individual alphanumeric 600
character of the information provided by the voter so as to 601
accommodate the electronic reading and conversion of the voter's 602
information to data and the subsequent electronic transfer of 603
that data to the statewide voter registration database 604
established under section 3503.15 of the Revised Code. 605

(B) None of the following persons who are registering an 606
applicant in the course of that official's or employee's normal 607
duties shall sign the person's name, provide the person's 608
address, or name the employer who is employing the person to 609
register an applicant on a form prepared under this section: 610

- (1) An election official; 611
- (2) A county treasurer; 612
- (3) A deputy registrar of motor vehicles; 613
- (4) An employee of a designated agency; 614
- (5) An employee of a public high school; 615
- (6) An employee of a public vocational school; 616
- (7) An employee of a public library; 617
- (8) An employee of the office of a county treasurer; 618
- (9) An employee of the bureau of motor vehicles; 619
- (10) An employee of a deputy registrar of motor vehicles; 620
- (11) An employee of an election official. 621

(C) Except as provided in section 3501.382 of the Revised 622
Code, any applicant who is unable to sign the applicant's own 623
name shall make an "X," if possible, which shall be certified by 624

the signing of the name of the applicant by the person filling 625
out the form, who shall add the person's own signature. If an 626
applicant is unable to make an "X," the applicant shall indicate 627
in some manner that the applicant desires to register to vote or 628
to ~~change~~ update the applicant's ~~name or residence~~ voter 629
registration. The person registering the applicant shall sign 630
the form and attest that the applicant indicated that the 631
applicant desired to register to vote or to ~~change the~~ 632
~~applicant's name or residence~~ update the applicant's voter 633
registration. 634

(D) No registration, ~~change of residence, or change of~~ 635
~~name~~ update form shall be rejected solely on the basis that a 636
person registering an applicant failed to sign the person's name 637
or failed to name the employer who is employing that person to 638
register the applicant as required under division (A) of this 639
section. 640

(E) A voter registration application or voter registration 641
update form submitted online through the internet pursuant to 642
section 3503.20 of the Revised Code is not required to contain a 643
signature to be considered valid. The signature obtained under 644
division (B) of that section shall be considered the applicant's 645
signature for all election and signature-matching purposes. 646

(F) As used in this section, "registering an applicant" 647
includes any effort, for compensation, to provide voter 648
registration forms or to assist persons in completing or 649
returning those forms. 650

Sec. 3503.15. (A) The secretary of state shall establish 651
and maintain a statewide voter registration database that shall 652
be administered by the office of data analytics and archives in 653
the office of the secretary of state and made continuously 654

available to each board of elections and to other agencies as 655
authorized by law. 656

The statewide voter registration database shall be the 657
official list of registered electors for all elections conducted 658
in this state. 659

(B) The statewide voter registration database shall, at a 660
minimum, include all of the following: 661

(1) An electronic network that connects all board of 662
elections offices with the office of the secretary of state and 663
with the offices of all other boards of elections; 664

(2) A computer program that harmonizes the records 665
contained in the database with records maintained by each board 666
of elections; 667

(3) An interactive computer program that allows access to 668
the records contained in the database by each board of elections 669
and by any persons authorized by the secretary of state to add, 670
delete, modify, or print database records, and to conduct 671
updates of the database; 672

(4) A search program capable of verifying registered 673
electors and their registration information by name, driver's 674
license or state identification card number, birth date, social 675
security number, or current address; 676

(5) Safeguards and components to ensure that the 677
integrity, security, and confidentiality of the voter 678
registration information is maintained; 679

(6) Methods to retain canceled voter registration records 680
for not less than five years after they are canceled and to 681
record the reason for their cancellation. 682

(C) For each registered elector, the statewide voter 683
registration database shall include all of the following 684
information: 685

(1) The elector's name; 686

(2) The elector's birth date; 687

(3) The elector's current residence address; 688

(4) The elector's precinct number; 689

(5) The elector's Ohio driver's license or state 690
identification card number, if available; 691

(6) The last four digits of the elector's social security 692
number, if available; 693

(7) The elector's telephone number, if available; 694

(8) The elector's electronic mail address, if available; 695

(9) (a) The elector's voter registration date, which shall 696
be determined based on the elector's most recent application to 697
register to vote in this state, subject to division (C) (9) (b) of 698
this section, as follows: 699

(i) In the case of an application delivered in person to a 700
state or local office of a designated agency, the office of the 701
registrar or any deputy registrar of motor vehicles, a public 702
high school or vocational school, a public library, or the 703
office of a county treasurer, the date stamped on the 704
application upon receipt by the entity that transmits the 705
application to the board of elections or the secretary of state; 706

(ii) In the case of an application delivered in person to 707
a board of elections or the secretary of state, the date stamped 708
on the application upon receipt by the board of elections or the 709

secretary of state, as applicable; 710

(iii) In the case of an application delivered by mail to a 711
board of elections or the secretary of state, the date the 712
application is postmarked; 713

(iv) In the case of an application submitted through the 714
online voter registration system established under section 715
3503.20 of the Revised Code, the date of the online submission; 716

(v) In the case of an application submitted to a board of 717
elections by facsimile transmission or electronic mail under 718
Chapter 3511. of the Revised Code, the date of the receipt of 719
the transmission or electronic mail by the board of elections; 720

(vi) In the case of a provisional ballot affirmation that 721
serves as an application to register to vote in future elections 722
because the individual who cast the ballot is not registered to 723
vote, the date the board of elections determines that the 724
provisional ballot is invalid under section 3505.183 of the 725
Revised Code. 726

(b) For purposes of determining an elector's voter 727
registration date under division (C) (9) (a) of this section, all 728
of the following apply: 729

(i) An elector's voter registration date shall not be 730
during the period beginning on the day after the close of voter 731
registration before an election and ending on the day of the 732
election. If the date determined under division (C) (9) (a) of 733
this section would be during that period, the voter registration 734
date instead shall be the date on which the board of elections 735
processes the application to register to vote after the day of 736
the election. 737

(ii) ~~A change of address or change of name voter~~ 738

registration update form, including a provisional ballot 739
affirmation that serves as a ~~change of address or change of name~~ 740
voter registration update form, is not considered an application 741
to register to vote. 742

(iii) An application to register to vote that is submitted 743
by an individual who is already registered to vote in this state 744
is not considered an application to register to vote. 745

(10) The elector's voting history, including all of the 746
following for each election in which the elector cast a ballot 747
that was counted: 748

(a) The date of the election; 749

(b) If the election was a primary election, the political 750
party whose ballot the elector cast at the primary election or 751
an indication that the elector voted only on the questions and 752
issues appearing on the ballot at a special election held on the 753
day of the primary election; 754

(c) The type of ballot the elector cast. 755

(11) The elector's last activity date, which shall be 756
determined in accordance with rules adopted by the secretary of 757
state pursuant to Chapter 119. of the Revised Code. 758

(12) The elector's political party affiliation, if any, 759
and the elector's date of affiliation change, if any, as 760
determined under section 3503.071 of the Revised Code; 761

(13) Any other information the secretary of state requires 762
to be included by rule adopted pursuant to Chapter 119. of the 763
Revised Code. 764

(D) Every day during the period beginning on the forty- 765
sixth day before an election and ending on the eighty-first day 766

after the day of the election, a board of elections shall create 767
a daily record of its voter registration database as of four 768
p.m. and shall transmit the daily record to the secretary of 769
state in a secure manner prescribed by the secretary of state. 770
The secretary of state shall archive the daily record and retain 771
it for at least twenty-two months after the day of the election. 772

(E) The secretary of state shall adopt rules pursuant to 773
Chapter 119. of the Revised Code to implement this section and 774
sections 3503.151 to 3503.153 of the Revised Code, including 775
rules doing all of the following: 776

(1) Specifying the manner in which any voter registration 777
records maintained by boards of elections in other data formats 778
shall be converted for inclusion in the statewide voter 779
registration database; 780

(2) Establishing a uniform method for entering voter 781
registration records into the statewide voter registration 782
database on an expedited basis, but not less than once per day, 783
if new registration information is received, and for 784
transmitting information securely to the secretary of state; 785

(3) Establishing a uniform method for purging canceled 786
voter registration records from the statewide voter registration 787
database in accordance with section 3503.21 of the Revised Code; 788

(4) Specifying the persons authorized to add, delete, 789
modify, or print records contained in the statewide voter 790
registration database and to make updates of that database; 791

(5) Establishing a process for annually auditing the 792
information contained in the statewide voter registration 793
database. 794

(F) A board of elections promptly shall purge a voter's 795

name and voter registration information from the statewide voter 796
registration database in accordance with the rules adopted by 797
the secretary of state under division (E) (3) of this section 798
after the cancellation of a voter's registration under section 799
3503.21 of the Revised Code. 800

(G) The secretary of state shall provide training in the 801
operation of the statewide voter registration database to each 802
board of elections and to any persons authorized by the 803
secretary of state to add, delete, modify, or print database 804
records, and to conduct updates of the database. 805

(H) A board of elections and any vendor with which it 806
contracts to provide voter registration software or related 807
services shall ensure that the board's voter registration system 808
and practices comply with the requirements of this section and 809
any rules adopted under this section. 810

Sec. 3503.151. (A) The secretary of state, through the 811
office of data analytics and archives, and the boards of 812
elections shall maintain the accuracy of the statewide voter 813
registration database in accordance with this section. 814

(B) (1) State agencies, including, but not limited to, the 815
department of health, the bureau of motor vehicles, the 816
department of job and family services, the department of 817
medicaid, and the department of rehabilitation and corrections, 818
shall provide any information and data to the secretary of state 819
that is collected in the course of normal business and that is 820
necessary to register to vote, to update an elector's 821
registration, or to maintain the statewide voter registration 822
database, except where prohibited by federal law or regulation. 823
The department of health, the bureau of motor vehicles, the 824
department of job and family services, the department of 825

medicaid, and the department of rehabilitation and corrections 826
shall provide that information and data to the secretary of 827
state not later than the last day of each month. The secretary 828
of state shall ensure that any information or data provided to 829
the secretary of state that is confidential in the possession of 830
the entity providing the data remains confidential while in the 831
possession of the secretary of state. No public office, and no 832
public official or employee, shall sell that information or data 833
or use that information or data for profit. 834

(2) The secretary of state shall adopt rules under Chapter 835
119. of the Revised Code that establish, by mutual agreement 836
with the bureau of motor vehicles, the content and format of the 837
information and data the bureau of motor vehicles shall provide 838
to the secretary of state under division (B)(1) of this section 839
and the frequency with which the bureau shall provide that 840
information and data. 841

(C)(1) The secretary of state shall enter into agreements 842
to share information or data that is in the possession of the 843
secretary of state with other states or groups of states, as the 844
secretary of state considers necessary, in order to maintain the 845
statewide voter registration database. Except as otherwise 846
provided in division (C)(2) of this section, the secretary of 847
state shall ensure that any information or data provided to the 848
secretary of state that is confidential in the possession of the 849
state providing the data remains confidential while in the 850
possession of the secretary of state. 851

(2) The secretary of state may provide such otherwise 852
confidential information or data to persons or organizations 853
that are engaging in legitimate governmental purposes related to 854
the maintenance of the statewide voter registration database. 855

The secretary of state shall adopt rules pursuant to Chapter 856
119. of the Revised Code identifying the persons or 857
organizations who may receive that information or data. The 858
secretary of state shall not share that information or data with 859
a person or organization not identified in those rules. The 860
secretary of state shall ensure that a person or organization 861
that receives confidential information or data under this 862
division keeps the information or data confidential in the 863
person's or organization's possession by, at a minimum, entering 864
into a confidentiality agreement with the person or 865
organization. Any confidentiality agreement entered into under 866
this division shall include a requirement that the person or 867
organization submit to the jurisdiction of this state in the 868
event that the person or organization breaches the agreement. 869

(3) No person or entity that receives information or data 870
under division (C) of this section shall sell the information or 871
data or use the information or data for profit. 872

(D) The secretary of state shall regularly transmit to the 873
boards of elections, to the extent permitted by state and 874
federal law, the information and data the secretary of state 875
receives under divisions (B) and (C) of this section that is 876
necessary to do the following, in order to ensure that the 877
accuracy of the statewide voter registration database is 878
maintained on a regular basis in accordance with applicable 879
state and federal law: 880

(1) Require the boards of elections to maintain the 881
database in a manner that ensures that the name of each 882
registered elector appears in the database, that only 883
individuals who are not registered or eligible to vote are 884
removed from the database, and that duplicate registrations are 885

eliminated from the database; 886

(2) Require the boards of elections to make a reasonable 887
effort to remove individuals who are not eligible to vote from 888
the database; 889

(3) Establish safeguards to ensure that eligible electors 890
are not removed in error from the database. 891

(E) (1) The secretary of state shall adopt rules under 892
Chapter 119. of the Revised Code to establish a uniform method 893
for addressing instances in which records contained in the 894
statewide voter registration database do not conform with 895
records maintained by an agency, state, or group of states 896
described in division (B) or (C) of this section. That method 897
shall prohibit an elector's voter registration from being 898
canceled on the sole basis that the information in the 899
registration record does not conform to records maintained by 900
such an agency. 901

(2) Information provided under division (B) or (C) of this 902
section for maintenance of the statewide voter registration 903
database shall not be used to update the name or address of a 904
registered elector. The name or address of a registered elector 905
shall only be updated as a result of the elector's actions in 906
filing a ~~notice of change of name, change of address, or~~ 907
~~both~~ voter registration update form. 908

(3) A board of elections shall contact a registered 909
elector pursuant to the rules adopted under division (E) (1) of 910
this section to verify the accuracy of the information in the 911
statewide voter registration database regarding that elector if 912
that information does not conform with information provided 913
under division (B) or (C) of this section and the discrepancy 914

would affect the elector's eligibility to cast a regular ballot. 915

Sec. 3503.152. The secretary of state shall conduct an 916
annual review of the statewide voter registration database to 917
identify persons who appear not to be United States citizens, as 918
follows: 919

(A) The secretary of state shall compare the information 920
in the statewide voter registration database with the 921
information the secretary of state obtains from the bureau of 922
motor vehicles under section 3503.151 of the Revised Code to 923
identify any person who does all of the following, in the 924
following order: 925

(1) Submits documentation to the bureau of motor vehicles 926
that indicates that the person is not a United States citizen; 927

(2) Registers to vote, ~~submits a~~ updates the person's 928
~~voter registration—change of residence or change of name form,~~ 929
or votes in this state; 930

(3) Submits documentation to the bureau of motor vehicles 931
that indicates that the person is not a United States citizen. 932

(B) The secretary of state shall send a written notice to 933
each person identified under division (A) of this section, 934
instructing the person either to confirm that the person is a 935
United States citizen or to submit a completed voter 936
registration cancellation form to the secretary of state. The 937
secretary of state shall include a blank voter registration 938
cancellation form with the notice. If the person fails to 939
respond to the secretary of state in the manner described in 940
division (C) or (D) of this section not later than thirty days 941
after the notice is sent, the secretary of state promptly shall 942
send the person a second notice and form. 943

(C) If, not later than sixty days after the first notice 944
is sent, a person who is sent a notice under division (B) of 945
this section responds to the secretary of state, confirming that 946
the person is a United States citizen, the secretary of state 947
shall take no action concerning the person's voter registration. 948

(D) If, not later than sixty days after the first notice 949
was sent, a person who receives a notice under division (B) of 950
this section sends a completed voter registration cancellation 951
form to the secretary of state, the secretary of state shall 952
instruct the board of elections of the county in which the 953
person is registered to cancel the person's registration. 954

(E) If a person who is sent a second notice under division 955
(B) of this section fails to respond to the secretary of state 956
in the manner described in division (C) or (D) of this section 957
not later than thirty days after the second notice is sent, the 958
secretary of state shall refer the matter to the attorney 959
general for further investigation and possible prosecution under 960
section 3599.11, 3599.12, 3599.13, or any other applicable 961
section of the Revised Code. If, after the thirtieth day after 962
the second notice is sent, the person sends a completed voter 963
registration cancellation form to the secretary of state, the 964
secretary of state shall instruct the board of elections of the 965
county in which the person is registered to cancel the person's 966
registration and shall notify the attorney general of the 967
cancellation. 968

(F) The secretary of state shall not conduct the review 969
described in this section during the ninety days immediately 970
preceding a primary or general election for federal office. 971

Sec. 3503.153. (A) The statewide voter registration 972
database shall be made available on a web site of the office of 973

the secretary of state as follows: 974

(1) Except as otherwise provided in division (A) (2) of 975
this section, the following information from the statewide voter 976
registration database regarding a registered elector shall be 977
made available on the web site: 978

(a) The elector's name; 979

(b) The elector's birth date; 980

(c) The elector's current residence address; 981

(d) The elector's precinct number; 982

(e) The elector's voter registration date, as described in 983
division (C) (9) of section 3503.15 of the Revised Code; 984

(f) The elector's voting history, as described in division 985
(C) (10) of section 3503.15 of the Revised Code; 986

(g) The elector's last activity date, as described in 987
division (C) (11) of section 3503.15 of the Revised Code; 988

(h) The elector's political party affiliation, if any, and 989
the elector's date of affiliation change, if any, as determined 990
under section 3503.071 of the Revised Code. 991

(2) During the thirty days before the day of a primary or 992
general election, the web site interface of the statewide voter 993
registration database shall permit an elector to search for the 994
polling location at which that elector may cast a ballot. 995

(3) No information in the statewide voter registration 996
database that is exempt from disclosure under division (A) (2) of 997
section 3503.13 of the Revised Code shall be made available on 998
the web site. 999

(B) (1) The secretary of state shall establish, by rule 1000

adopted under Chapter 119. of the Revised Code, a process for 1001
boards of elections to notify the secretary of state of changes 1002
in the locations of precinct polling places for the purpose of 1003
updating the information made available on the secretary of 1004
state's web site under division (A) (2) of this section. Those 1005
rules shall require a board of elections, during the thirty days 1006
before the day of a primary or general election, to notify the 1007
secretary of state within one business day of any change to the 1008
location of a precinct polling place within the county. 1009

(2) During the thirty days before the day of a primary or 1010
general election, not later than one business day after 1011
receiving a notification from a county pursuant to division (B) 1012
(1) of this section that the location of a precinct polling 1013
place has changed, the secretary of state shall update that 1014
information on the secretary of state's web site for the purpose 1015
of division (A) (2) of this section. 1016

Sec. 3503.16. ~~(A) Except as otherwise provided in division~~ 1017
~~(E) of section 111.44 of the Revised Code, whenever (A) (1)~~ 1018
Whenever a registered elector changes the place of residence of 1019
that registered elector ~~from one precinct to another within a~~ 1020
~~county or from one county to another this state,~~ or has a change 1021
of name or a change of political party affiliation, that 1022
registered elector shall report the change by ~~delivering a~~ 1023
~~change of residence or change of name form, whichever is~~ 1024
~~appropriate, as prescribed by the secretary of state under~~ 1025
~~section 3503.14 of the Revised Code to the state or local office~~ 1026
~~of a designated agency, a public high school or vocational~~ 1027
~~school, a public library, the office of the county treasurer,~~ 1028
~~the office of the secretary of state, any office of the~~ 1029
~~registrar or deputy registrar of motor vehicles, or any office~~ 1030
~~of a board of elections in person or by a third person. Any~~ 1031

~~voter registration, change of address, or change of name~~ 1032
~~application, returned by mail, may be sent only to the secretary~~ 1033
~~of state or the board of elections.~~ 1034

~~A registered elector also may update the registration of~~ 1035
~~that registered elector by filing a change of residence or~~ 1036
~~change of name form on the day of a special, primary, or general~~ 1037
~~election at the polling place in the precinct in which that~~ 1038
~~registered elector resides or at the board of elections or at~~ 1039
~~another site designated by the board~~ one of the methods 1040
described in section 3503.19 of the Revised Code. 1041

(2) Any registered elector who wishes to change the 1042
elector's political party affiliation before a primary election 1043
shall submit a voter registration update form reflecting the 1044
change of political party affiliation not later than the 1045
ninetieth day before the day of the primary election. If the 1046
elector submits a valid voter registration update form at any 1047
time after that deadline, the form shall be processed in 1048
accordance with section 3503.19 of the Revised Code, but elector 1049
shall be eligible to vote that political party's ballot only 1050
beginning with the next primary election held at least ninety 1051
days after the elector submits the form. 1052

(B) (1) (a) Any registered elector who moves within a 1053
precinct on or prior to the day of a general, primary, or 1054
special election and has not ~~filed a notice of reported the~~ 1055
~~change of residence with the board of elections under section~~ 1056
3503.19 of the Revised Code may vote in that election by going 1057
to that registered elector's assigned polling place, completing 1058
and signing a ~~notice of change of residence~~ voter registration 1059
update form, showing photo identification, and casting a ballot. 1060

(b) Any registered elector who changes the name of that 1061

registered elector and remains within a precinct on or prior to 1062
the day of a general, primary, or special election and has not 1063
~~filed a notice of~~ reported the change of name ~~with the board of~~ 1064
~~elections~~ under section 3503.19 of the Revised Code may vote in 1065
that election by going to that registered elector's assigned 1066
polling place, completing and signing a ~~notice of a change of~~ 1067
~~name~~ voter registration update form, and casting a provisional 1068
ballot under section 3505.181 of the Revised Code. If the 1069
registered elector provides to the precinct election officials 1070
proof of a legal name change, such as a marriage license or 1071
court order that includes the elector's current and prior names, 1072
the elector may complete and sign a ~~notice of change of name~~ 1073
voter registration update form and cast a regular ballot. 1074

(2) Any registered elector who moves from one precinct to 1075
another within a county or moves from one precinct to another 1076
and changes the name of that registered elector on or prior to 1077
the day of a general, primary, or special election and has not 1078
~~filed a notice of~~ reported the change of residence or change of 1079
name, whichever is appropriate, ~~with the board of elections~~ 1080
under section 3503.19 of the Revised Code may vote in that 1081
election if that registered elector complies with division (G) 1082
of this section or does all of the following: 1083

(a) Appears at anytime during regular business hours on or 1084
after the twenty-eighth day prior to the election in which that 1085
registered elector wishes to vote or, if the election is held on 1086
the day of a presidential primary election, the twenty-fifth day 1087
prior to the election, through noon of the Saturday prior to the 1088
election at the office of the board of elections, appears at any 1089
time during regular business hours on the Monday prior to the 1090
election at the office of the board of elections, or appears on 1091
the day of the election at either of the following locations: 1092

(i) The polling place for the precinct in which that 1093
registered elector resides; 1094

(ii) The office of the board of elections or, if pursuant 1095
to division (C) of section 3501.10 of the Revised Code the board 1096
has designated another location in the county at which 1097
registered electors may vote, at that other location instead of 1098
the office of the board of elections. 1099

(b) Completes and signs, under penalty of election 1100
falsification, the written affirmation on the provisional ballot 1101
envelope, which shall serve as a ~~notice of change of residence~~ 1102
~~or change of name, whichever is appropriate~~ voter registration 1103
update form; 1104

(c) Votes a provisional ballot under section 3505.181 of 1105
the Revised Code at the polling place, at the office of the 1106
board of elections, or, if pursuant to division (C) of section 1107
3501.10 of the Revised Code the board has designated another 1108
location in the county at which registered electors may vote, at 1109
that other location instead of the office of the board of 1110
elections, whichever is appropriate, using the address to which 1111
that registered elector has moved or the name of that registered 1112
elector as changed, whichever is appropriate; 1113

(d) Completes and signs, under penalty of election 1114
falsification, a statement attesting that that registered 1115
elector moved or had a change of name, whichever is appropriate, 1116
on or prior to the day of the election, has voted a provisional 1117
ballot at the polling place for the precinct in which that 1118
registered elector resides, at the office of the board of 1119
elections, or, if pursuant to division (C) of section 3501.10 of 1120
the Revised Code the board has designated another location in 1121
the county at which registered electors may vote, at that other 1122

location instead of the office of the board of elections, 1123
whichever is appropriate, and will not vote or attempt to vote 1124
at any other location for that particular election. 1125

(C) Any registered elector who moves from one county to 1126
another county within the state on or prior to the day of a 1127
general, primary, or special election and has not ~~registered to~~ 1128
~~vote in the county to which that registered elector moved~~ 1129
reported the change of residence under section 3503.19 of the 1130
Revised Code may vote in that election if that registered 1131
elector complies with division (G) of this section or does all 1132
of the following: 1133

(1) Appears at any time during regular business hours on 1134
or after the twenty-eighth day prior to the election in which 1135
that registered elector wishes to vote or, if the election is 1136
held on the day of a presidential primary election, the twenty- 1137
fifth day prior to the election, through noon of the Saturday 1138
prior to the election at the office of the board of elections 1139
or, if pursuant to division (C) of section 3501.10 of the 1140
Revised Code the board has designated another location in the 1141
county at which registered electors may vote, at that other 1142
location instead of the office of the board of elections, 1143
appears during regular business hours on the Monday prior to the 1144
election at the office of the board of elections or, if pursuant 1145
to division (C) of section 3501.10 of the Revised Code the board 1146
has designated another location in the county at which 1147
registered electors may vote, at that other location instead of 1148
the office of the board of elections, or appears on the day of 1149
the election at the office of the board of elections or, if 1150
pursuant to division (C) of section 3501.10 of the Revised Code 1151
the board has designated another location in the county at which 1152
registered electors may vote, at that other location instead of 1153

the office of the board of elections; 1154

(2) Completes and signs, under penalty of election 1155
falsification, the written affirmation on the provisional ballot 1156
envelope, which shall serve as a ~~notice of change of residence~~ 1157
voter registration update form; 1158

(3) Votes a provisional ballot under section 3505.181 of 1159
the Revised Code at the office of the board of elections or, if 1160
pursuant to division (C) of section 3501.10 of the Revised Code 1161
the board has designated another location in the county at which 1162
registered electors may vote, at that other location instead of 1163
the office of the board of elections, using the address to which 1164
that registered elector has moved; 1165

(4) Completes and signs, under penalty of election 1166
falsification, a statement attesting that that registered 1167
elector has moved from one county to another county within the 1168
state on or prior to the day of the election, has voted at the 1169
office of the board of elections or, if pursuant to division (C) 1170
of section 3501.10 of the Revised Code the board has designated 1171
another location in the county at which registered electors may 1172
vote, at that other location instead of the office of the board 1173
of elections, and will not vote or attempt to vote at any other 1174
location for that particular election. 1175

(D) A person who votes by absent voter's ballots pursuant 1176
to division ~~(G)~~ (E) of this section shall not make written 1177
application for the ballots pursuant to Chapter 3509. of the 1178
Revised Code. Ballots cast pursuant to division ~~(G)~~ (E) of this 1179
section shall be set aside in a special envelope and counted 1180
during the official canvass of votes in the manner provided for 1181
in sections 3505.32 and 3509.06 of the Revised Code insofar as 1182
that manner is applicable. The board shall examine the pollbooks 1183

to verify that no ballot was cast at the polls or by absent voter's ballots under Chapter 3509. or 3511. of the Revised Code by an elector who has voted by absent voter's ballots pursuant to division ~~(C)~~ (E) of this section. Any ballot determined to be insufficient for any of the reasons stated above or stated in section 3509.07 of the Revised Code shall not be counted.

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

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

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

~~The board of elections shall provide change of residence and change of name forms to the probate court and court of common pleas. The court shall provide the forms to any person eighteen years of age or older who has a change of name by order~~

~~of the court or who applies for a marriage license. The court~~ 1214
~~shall forward all completed forms to the board of elections~~ 1215
~~within five days after receiving them.~~ 1216

~~(G)~~ A registered elector who otherwise would qualify to 1217
vote under division (B) or (C) of this section but is unable to 1218
appear at the office of the board of elections or, if pursuant 1219
to division (C) of section 3501.10 of the Revised Code the board 1220
has designated another location in the county at which 1221
registered electors may vote, at that other location, on account 1222
of personal illness, physical disability, or infirmity, may vote 1223
on the day of the election if that registered elector does all 1224
of the following: 1225

(1) Makes a written application on a form prescribed by 1226
the secretary of state that includes all of the information 1227
required under section 3509.03 of the Revised Code to the 1228
appropriate board for an absent voter's ballot on or after the 1229
twenty-seventh day prior to the election in which the registered 1230
elector wishes to vote through the close of business on the 1231
seventh day prior to that election and requests that the absent 1232
voter's ballot be sent to the address to which the registered 1233
elector has moved if the registered elector has moved, or to the 1234
address of that registered elector who has not moved but has had 1235
a change of name; 1236

(2) Declares that the registered elector has moved or had 1237
a change of name, whichever is appropriate, and otherwise is 1238
qualified to vote under the circumstances described in division 1239
(B) or (C) of this section, whichever is appropriate, but that 1240
the registered elector is unable to appear at the board of 1241
elections because of personal illness, physical disability, or 1242
infirmity; 1243

(3) Completes and returns a voter registration update form 1244
along with the completed absent voter's ballot ~~a notice of~~ 1245
~~change of residence indicating the address to which the~~ 1246
~~registered elector has moved, or a notice of change of name,~~ 1247
~~whichever is appropriate;~~ 1248

(4) Completes and signs, under penalty of election 1249
falsification, a statement attesting that the registered elector 1250
has moved or had a change of name on or prior to the day before 1251
the election, has voted by absent voter's ballot because of 1252
personal illness, physical disability, or infirmity that 1253
prevented the registered elector from appearing at the board of 1254
elections, and will not vote or attempt to vote at any other 1255
location or by absent voter's ballot mailed to any other 1256
location or address for that particular election. 1257

Sec. 3503.19. ~~(A) Persons~~ (A) (1) Except as otherwise 1258
provided in division (E) of section 111.44 of the Revised Code, 1259
persons qualified to register or to ~~change~~ update their 1260
registration because of a change of address ~~or~~ , change of name, 1261
or change of political party affiliation may register or ~~change~~ 1262
update their registration ~~in by doing any of the following:~~ 1263

(a) Submitting a voter registration application or a voter 1264
registration update form in person or through another person at 1265
any state or local office of a designated agency, at the office 1266
of the registrar or any deputy registrar of motor vehicles, at a 1267
public high school or vocational school, at a public library, at 1268
the office of a county treasurer, or at a branch office 1269
established by the board of elections, ~~or in~~ ; 1270

(b) Submitting a voter registration application or a voter 1271
registration update form in person or through another person at 1272
a probate court or a court of common pleas. The board of 1273

elections shall provide the forms to the courts, and the courts 1274
shall provide the forms to any person eighteen years of age or 1275
older who has a change of name by order of the court or who 1276
applies for a marriage license. 1277

(c) Submitting a voter registration application or a voter 1278
registration update form in person, through another person, or 1279
by mail at the office of the secretary of state or at the office 1280
of ~~a any~~ board of elections. ~~A registered elector may also~~ 1281
~~change the elector's registration on;~~ 1282

(d) Submitting a voter registration application or a voter 1283
registration update form through the online voter registration 1284
system under section 3503.20 of the Revised Code; 1285

(e) Submitting a voter registration application or a voter 1286
registration update form in person to the election officials on 1287
election day at any polling place ~~where the elector is eligible~~ 1288
~~to vote, in the manner provided under section 3503.16 of the~~ 1289
~~Revised Code. Voter registration applications and voter~~ 1290
registration update forms shall be available at each polling 1291
place, and the election officials shall return all completed 1292
forms, together with the pollbooks and tally sheets, to the 1293
board of elections. 1294

(f) In the case of a person who is eligible to vote as a 1295
uniformed services voter or an overseas voter in accordance with 1296
52 U.S.C. 20310, returning the person's completed voter 1297
registration application or voter registration update form 1298
electronically to the office of the secretary of state or to the 1299
board of elections of the county in which the person's voting 1300
residence is located pursuant to Chapter 3511. of the Revised 1301
Code. 1302

(2)(a) Any state or local office of a designated agency, 1303
the office of the registrar or any deputy registrar of motor 1304
vehicles, a public high school or vocational school, a public 1305
library, a probate court or court of common pleas, or the office 1306
of a county treasurer shall date stamp a voter registration 1307
application or voter registration update form it receives using 1308
a date stamp that does not disclose the identity of the state or 1309
local office that receives it and shall transmit any voter- 1310
registration-the application or change-of-registration form that- 1311
it receives to the board of elections of the county in which the 1312
state or local office is located, within five days after 1313
receiving the voter-registration-application or change-of- 1314
registration-form. 1315

(b) If a board of elections or the office of the secretary 1316
of state receives a voter registration application or voter 1317
registration update form before the thirtieth day before an 1318
election, the board or the office of the secretary of state, as 1319
applicable, shall forward the application or form to the board 1320
of elections of the county in which the applicant resides within 1321
ten days after receiving it. If a board of elections or the 1322
office of the secretary of state receives a voter registration 1323
application or voter registration update form on or after the 1324
thirtieth day before an election, the board or the office of the 1325
secretary of state, as applicable, shall forward the application 1326
or form to the board of elections of the county in which the 1327
applicant resides within thirty days after that election. 1328

(3) Except as otherwise provided in section 3503.16 of the 1329
Revised Code: 1330

(a) An otherwise valid voter registration application that 1331
is returned to the appropriate office other than by mail must be 1332

received by a state or local office of a designated agency, the 1333
office of the registrar or any deputy registrar of motor 1334
vehicles, a public high school or vocational school, a public 1335
library, a probate court or court of common pleas, the office of 1336
a county treasurer, the office of the secretary of state, or the 1337
office of a board of elections no later than the thirtieth day 1338
preceding a primary, special, or general election for the person 1339
to qualify as an elector eligible to vote at that election. An 1340
otherwise valid registration application received after that day 1341
entitles the elector to vote at all subsequent elections. 1342

~~Any state or local office of a designated agency, the 1343
office of the registrar or any deputy registrar of motor 1344
vehicles, a public high school or vocational school, a public 1345
library, or the office of a county treasurer shall date stamp a 1346
registration application or change of name or change of address 1347
form it receives using a date stamp that does not disclose the 1348
identity of the state or local office that receives the 1349
registration. 1350~~

(b) Voter registration applications, if otherwise valid, 1351
that are returned by mail to the office of the secretary of 1352
state or to the office of a board of elections must be 1353
postmarked no later than the thirtieth day preceding a primary, 1354
special, or general election in order for the person to qualify 1355
as an elector eligible to vote at that election. If an otherwise 1356
valid voter registration application that is returned by mail 1357
does not bear a postmark or a legible postmark, the registration 1358
shall be valid for that election if received by the office of 1359
the secretary of state or the office of a board of elections no 1360
later than twenty-five days preceding any special, primary, or 1361
general election. 1362

~~(B) (1)~~ (B) Any person may apply in person, by telephone, 1363
by mail, or through another person for voter registration forms 1364
to the office of the secretary of state or the office of a board 1365
of elections. An individual who is eligible to vote as a 1366
uniformed services voter or an overseas voter in accordance with 1367
42 U.S.C. 1973ff-6 also may apply for voter registration forms 1368
by electronic means to the office of the secretary of state or 1369
to the board of elections of the county in which the person's 1370
voting residence is located pursuant to section 3503.191 of the 1371
Revised Code. 1372

~~(2) (a) An applicant may return the applicant's completed~~ 1373
~~registration form in person or by mail to any state or local~~ 1374
~~office of a designated agency, to a public high school or~~ 1375
~~vocational school, to a public library, to the office of a~~ 1376
~~county treasurer, to the office of the secretary of state, or to~~ 1377
~~the office of a board of elections. An applicant who is eligible~~ 1378
~~to vote as a uniformed services voter or an overseas voter in~~ 1379
~~accordance with 42 U.S.C. 1973ff-6 also may return the~~ 1380
~~applicant's completed voter registration form electronically to~~ 1381
~~the office of the secretary of state or to the board of~~ 1382
~~elections of the county in which the person's voting residence~~ 1383
~~is located pursuant to section 3503.191 of the Revised Code.~~ 1384

~~(b) Subject to division (B) (2) (c) of this section, an~~ 1385
~~applicant may return the applicant's completed registration form~~ 1386
~~through another person to any board of elections or the office~~ 1387
~~of the secretary of state.~~ 1388

~~(c) A person who receives compensation for registering a~~ 1389
~~voter shall return any registration form entrusted to that~~ 1390
~~person by an applicant to any board of elections or to the~~ 1391
~~office of the secretary of state.~~ 1392

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

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

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

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

(ii) If the person has had a change of political party affiliation, the date of the next primary election at which the

person is eligible to cast that party's ballot; 1423

(c) The precinct in which the ~~applicant~~ person is to vote; 1424

~~(e)~~ (d) In bold type as follows: 1425

"Voters must bring photo identification to the polls in 1426
order to verify identity. Voters who do not provide photo 1427
identification will still be able to vote by casting a 1428
provisional ballot." 1429

The notification shall be by nonforwardable mail. If the 1430
mail is returned to the board, it shall investigate and cause 1431
the notification to be delivered to the correct address. 1432

(2) If, after investigating as required under division (C) 1433
(1) of this section, the board is unable to verify the voter's 1434
correct address, it shall cause the voter's name in the official 1435
registration list and in the poll list or signature pollbook to 1436
be marked to indicate that the voter's notification was returned 1437
to the board. 1438

At the first election at which a voter whose name has been 1439
so marked appears to vote, the voter shall be required to vote 1440
by provisional ballot under section 3505.181 of the Revised 1441
Code. If the provisional ballot is counted pursuant to division 1442
(B) (3) of section 3505.183 of the Revised Code, the board shall 1443
correct that voter's registration, if needed, and shall remove 1444
the indication that the voter's notification was returned from 1445
that voter's name on the official registration list and on the 1446
poll list or signature pollbook. If the provisional ballot is 1447
not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1448
section 3505.183 of the Revised Code, the voter's registration 1449
shall be canceled. The board shall notify the voter by United 1450
States mail of the cancellation. 1451

(3) If a notice of the disposition of an otherwise valid 1452
registration application is sent by nonforwardable mail and is 1453
returned undelivered, the person shall be registered as provided 1454
in division (C) (2) of this section and sent a confirmation 1455
notice by forwardable mail. If the person fails to respond to 1456
the confirmation notice, update the person's registration, or 1457
vote by provisional ballot as provided in division (C) (2) of 1458
this section in any election during the period of two federal 1459
elections subsequent to the mailing of the confirmation notice, 1460
the person's registration shall be canceled. 1461

Sec. 3503.20. (A) The secretary of state shall establish a 1462
secure online voter registration system. The system shall 1463
provide for all of the following: 1464

(1) An applicant to submit a voter registration 1465
application to the secretary of state online through the 1466
internet; 1467

(2) The online applicant to be registered to vote, if all 1468
of the following apply: 1469

(a) The application contains all of the following 1470
information: 1471

(i) The applicant's name; 1472

(ii) The applicant's address; 1473

(iii) The applicant's date of birth; 1474

(iv) The last four digits of the applicant's social 1475
security number; 1476

(v) The applicant's Ohio driver's license number or the 1477
number of the applicant's state identification card issued under 1478
section 4507.50 of the Revised Code. 1479

(b) The applicant's name, address, and date of birth, the 1480
last four digits of the applicant's social security number, and 1481
the applicant's Ohio driver's license number or the number of 1482
the applicant's state identification card as they are provided 1483
in the application are not inconsistent with the information on 1484
file with the bureau of motor vehicles; 1485

(c) The applicant is a United States citizen, will have 1486
lived in this state for thirty days immediately preceding the 1487
next election, will be at least eighteen years of age on or 1488
before the day of the next general election, and is otherwise 1489
eligible to register to vote; 1490

(d) The applicant attests to the truth and accuracy of the 1491
information submitted in the online application under penalty of 1492
election falsification. 1493

(3) The application includes the political party 1494
affiliation fields and notices described in division (B)(1) of 1495
section 3503.071 of the Revised Code. 1496

(B) If an individual registers to vote or a registered 1497
elector updates the elector's ~~name, address, or both~~ 1498
registration under this section, the secretary of state shall 1499
obtain an electronic copy of the applicant's or elector's 1500
signature that is on file with the bureau of motor vehicles. 1501
That electronic signature shall be used as the applicant's or 1502
elector's signature on voter registration records, for all 1503
election and signature-matching purposes. 1504

(C) The secretary of state shall employ whatever security 1505
measures the secretary of state considers necessary to ensure 1506
the integrity and accuracy of voter registration information 1507
submitted electronically pursuant to this section. Errors in 1508

processing voter registration applications in the online system 1509
shall not prevent an applicant from becoming registered or from 1510
voting. 1511

(D) The online voter registration application established 1512
under division (A) of this section shall include the following 1513
language: 1514

"By clicking the box below, I affirm all of the following 1515
under penalty of election falsification, which is a felony of 1516
the fifth degree: 1517

(1) I am the person whose name and identifying information 1518
is provided on this form, and I desire to register to vote, or 1519
update my voter registration, in the State of Ohio. 1520

(2) All of the information I have provided on this form is 1521
true and correct as of the date I am submitting this form. 1522

(3) I am a United States citizen. 1523

(4) I will have lived in Ohio for thirty days immediately 1524
preceding the next election. 1525

(5) I will be at least eighteen years of age on or before 1526
the day of the next general election. 1527

(6) I authorize the Bureau of Motor Vehicles to transmit 1528
to the Ohio Secretary of State my signature that is on file with 1529
the Bureau of Motor Vehicles, and I understand and agree that 1530
the signature transmitted by the Bureau of Motor Vehicles will 1531
be used by the Secretary of State to validate this electronic 1532
voter registration application as if I had signed this form 1533
personally." 1534

In order to register to vote or update a voter 1535
registration under division (A) of this section, an applicant or 1536

elector shall be required to mark the box in the online voter 1537
registration application that appears in conjunction with the 1538
previous statement. 1539

~~(E) The online voter registration process established~~ 1540
~~under division (A) of this section shall be in operation and~~ 1541
~~available for use by individuals who wish to register to vote or~~ 1542
~~update their voter registration information online not earlier~~ 1543
~~than January 1, 2017.~~ During the period beginning on the first 1544
day after the close of voter registration before an election and 1545
ending on the day of the election, the online voter registration 1546
system shall display a notice indicating that the applicant will 1547
not be registered to vote for the purposes of that election. 1548

(F) Notwithstanding section 1.50 of the Revised Code, if 1549
any provision of this section or of division (E) of section 1550
3503.14 of the Revised Code is held invalid, or if the 1551
application of any provision of this section or of that division 1552
to any person or circumstance is held invalid, then this section 1553
and that division cease to operate. 1554

Sec. 3503.23. ~~(A) (A) (1)~~ Fourteen days before an election, 1555
the board of elections shall cause to be prepared from the 1556
statewide voter registration database established under section 1557
3503.15 of the Revised Code a complete and official registration 1558
list for each precinct, containing the names, addresses, and 1559
political party ~~whose ballot the elector voted in the most~~ 1560
~~recent primary election within the current year and the~~ 1561
~~immediately preceding two calendar years,~~ affiliations of all 1562
qualified registered voters in the precinct, except as otherwise 1563
provided in section 111.44 of the Revised Code. All the names, 1564
insofar as practicable, shall be arranged in alphabetical order. 1565
The lists may be prepared either in sheet form on one side of 1566

the paper or in electronic form, at the discretion of the board. 1567
Each precinct list shall be headed "Register of Voters," and 1568
under the heading shall be indicated the district or ward and 1569
precinct. 1570

(2) In the case of a primary election, the registration 1571
list also shall include the date of affiliation change, as 1572
determined under section 3503.071 of the Revised Code, for each 1573
elector who has such a date. 1574

(3) Appended to each precinct list shall be attached the 1575
names of the members of the board and the name of the director. 1576
A sufficient number of such lists shall be provided for 1577
distribution to the candidates, political parties, or organized 1578
groups that apply for them. The board shall have each precinct 1579
list available at the board for viewing by the public during 1580
normal business hours. The board shall ensure that, by the 1581
opening of the polls on the day of a general or primary 1582
election, each precinct has a paper copy of the registration 1583
list of voters in that precinct. 1584

(B) On the day of a general or primary election, precinct 1585
election officials shall do both of the following: 1586

(1) By the time the polls open, conspicuously post and 1587
display at the polling place one copy of the registration list 1588
of voters in that precinct in an area of the polling place that 1589
is easily accessible; 1590

(2) At 11 a.m. and 4 p.m. place a mark, on the official 1591
registration list posted at the polling place, before the name 1592
of those registered voters who have voted. 1593

(C) Notwithstanding division (B) of section 3501.35 of the 1594
Revised Code, any person may enter the polling place for the 1595

sole purpose of reviewing the official registration list posted 1596
in accordance with division (B) of this section, provided that 1597
the person does not engage in conduct that would constitute 1598
harassment in violation of the election law, as defined in 1599
section 3501.90 of the Revised Code. 1600

Sec. 3503.28. (A) The secretary of state shall develop an 1601
information brochure regarding voter registration. The brochure 1602
shall include, but is not limited to, all of the following 1603
information: 1604

(1) The applicable deadlines for registering to vote or 1605
for returning an applicant's completed registration form; 1606

(2) The applicable deadline for returning an applicant's 1607
completed registration form if the person returning the form is 1608
being compensated for registering voters; 1609

(3) The manner in which a person may establish or change 1610
the person's political party affiliation; 1611

(4) The locations to which a person may return an 1612
applicant's completed registration form; 1613

~~(4)~~ (5) The location to which a person who is compensated 1614
for registering voters may return an applicant's completed 1615
registration form; 1616

~~(5)~~ (6) The registration and affirmation requirements 1617
applicable to persons who are compensated for registering voters 1618
under section 3503.29 of the Revised Code; 1619

~~(6)~~ (7) A notice, which shall be written in bold type, 1620
stating as follows: 1621

"Voters must bring photo identification to the polls in 1622
order to verify identity. Voters who do not provide photo 1623

identification will still be able to vote by casting a 1624
provisional ballot." 1625

(B) Except as otherwise provided in division (D) of this 1626
section, a board of elections, designated agency, public high 1627
school, public vocational school, public library, office of a 1628
county treasurer, or deputy registrar of motor vehicles shall 1629
distribute a copy of the brochure developed under division (A) 1630
of this section to any person who requests more than two voter 1631
registration forms at one time. 1632

(C) (1) The secretary of state shall provide the 1633
information required to be included in the brochure developed 1634
under division (A) of this section to any person who prints a 1635
voter registration form that is made available on a web site of 1636
the office of the secretary of state. 1637

(2) If a board of elections operates and maintains a web 1638
site, the board shall provide the information required to be 1639
included in the brochure developed under division (A) of this 1640
section to any person who prints a voter registration form that 1641
is made available on that web site. 1642

(D) A board of elections shall not be required to 1643
distribute a copy of a brochure under division (B) of this 1644
section to any of the following officials or employees who are 1645
requesting more than two voter registration forms at one time in 1646
the course of the official's or employee's normal duties: 1647

(1) An election official; 1648

(2) A county treasurer; 1649

(3) A deputy registrar of motor vehicles; 1650

(4) An employee of a designated agency; 1651

- (5) An employee of a public high school; 1652
 - (6) An employee of a public vocational school; 1653
 - (7) An employee of a public library; 1654
 - (8) An employee of the office of a county treasurer; 1655
 - (9) An employee of the bureau of motor vehicles; 1656
 - (10) An employee of a deputy registrar of motor vehicles; 1657
 - (11) An employee of an election official. 1658
- (E) As used in this section, "registering voters" includes 1659
any effort, for compensation, to provide voter registration 1660
forms or to assist persons in completing or returning those 1661
forms. 1662
- Sec. 3505.181.** (A) All of the following individuals shall 1663
be permitted to cast a provisional ballot at an election: 1664
- (1) An individual who declares that the individual is a 1665
registered voter in the precinct in which the individual desires 1666
to vote and that the individual is eligible to vote in an 1667
election, but the name of the individual does not appear on the 1668
official list of eligible voters for the precinct or an election 1669
official asserts that the individual is not eligible to vote; 1670
 - (2) An individual who does not have or is unable to 1671
provide photo identification to the election officials; 1672
 - (3) An individual whose name in the poll list or signature 1673
pollbook has been marked under section 3509.09 or 3511.13 of the 1674
Revised Code as having requested an absent voter's ballot or a 1675
uniformed services or overseas absent voter's ballot for that 1676
election and who appears to vote at the polling place; 1677
 - (4) An individual whose notification of registration has 1678

been returned undelivered to the board of elections and whose 1679
name in the official registration list and in the poll list or 1680
signature pollbook has been marked under division (C) (2) of 1681
section 3503.19 of the Revised Code; 1682

(5) An individual who has been successfully challenged 1683
under section 3505.20 or ~~3513.20~~ 3513.19 of the Revised Code; 1684

(6) An individual who changes the individual's name and 1685
remains within the precinct without providing proof of that name 1686
change under division (B) (1) (b) of section 3503.16 of the 1687
Revised Code, moves from one precinct to another within a 1688
county, moves from one precinct to another and changes the 1689
individual's name, or moves from one county to another within 1690
the state, and completes and signs the required forms and 1691
statements under division (B) or (C) of section 3503.16 of the 1692
Revised Code; 1693

(7) An individual whose signature, in the opinion of the 1694
precinct officers under section 3505.22 of the Revised Code, is 1695
not that of the person who signed that name in the registration 1696
forms. 1697

(B) An individual who is eligible to cast a provisional 1698
ballot under division (A) of this section shall be permitted to 1699
cast a provisional ballot as follows: 1700

(1) An election official at the polling place shall notify 1701
the individual that the individual may cast a provisional ballot 1702
in that election. 1703

(2) Except as otherwise provided in division (F) of this 1704
section, the individual shall complete and execute a written 1705
affirmation before an election official at the polling place 1706
stating that the individual is both of the following: 1707

(a) A registered voter in the precinct in which the 1708
individual desires to vote; 1709

(b) Eligible to vote in that election. 1710

(3) An election official at the polling place shall 1711
transmit the ballot cast by the individual and the voter 1712
information contained in the written affirmation executed by the 1713
individual under division (B) (2) of this section to an 1714
appropriate local election official for verification under 1715
division (B) (4) of this section. 1716

(4) If the appropriate local election official to whom the 1717
ballot or voter or address information is transmitted under 1718
division (B) (3) of this section determines that the individual 1719
is eligible to vote, the individual's provisional ballot shall 1720
be counted as a vote in that election. 1721

(5) (a) At the time that an individual casts a provisional 1722
ballot, the appropriate local election official shall give the 1723
individual written information that states that any individual 1724
who casts a provisional ballot will be able to ascertain under 1725
the system established under division (B) (5) (b) of this section 1726
whether the vote was counted, and, if the vote was not counted, 1727
the reason that the vote was not counted. 1728

(b) The appropriate state or local election official shall 1729
establish a free access system, in the form of a toll-free 1730
telephone number, that any individual who casts a provisional 1731
ballot may access to discover whether the vote of that 1732
individual was counted, and, if the vote was not counted, the 1733
reason that the vote was not counted. The free access system 1734
established under this division also shall provide to an 1735
individual whose provisional ballot was not counted information 1736

explaining how that individual may contact the board of 1737
elections to register to vote or to resolve problems with the 1738
individual's voter registration. 1739

The appropriate state or local election official shall 1740
establish and maintain reasonable procedures necessary to 1741
protect the security, confidentiality, and integrity of personal 1742
information collected, stored, or otherwise used by the free 1743
access system established under this division. The system shall 1744
permit an individual only to gain access to information about 1745
the individual's own provisional ballot. 1746

(6) If, at the time that an individual casts a provisional 1747
ballot, the individual provides photo identification, the 1748
individual shall record the type of identification provided on 1749
the provisional ballot affirmation and, if the individual 1750
provides an Ohio driver's license, state identification card, or 1751
interim identification document, the individual also shall write 1752
the individual's driver's license or state identification card 1753
number on the provisional ballot affirmation. 1754

(7) (a) For a provisional ballot to be eligible to be 1755
counted when it is cast by an individual who does not have photo 1756
identification because the individual has a religious objection 1757
to being photographed, the individual shall complete an 1758
affidavit of religious objection under section 3505.19 of the 1759
Revised Code. The election officials shall attach the affidavit 1760
to the individual's provisional ballot envelope. If the 1761
individual does not complete the affidavit at the time of 1762
casting the provisional ballot, the individual may appear at the 1763
office of the board of elections within four days after the day 1764
of the election and complete the affidavit. 1765

(b) For a provisional ballot to be eligible to be counted 1766

when it is cast by any other individual who does not have or is 1767
unable to provide photo identification to the election 1768
officials, the individual who cast that ballot, within four days 1769
after the day of the election, shall appear at the office of the 1770
board of elections and provide photo identification. 1771

(8) For a provisional ballot cast by an individual who has 1772
been successfully challenged under section 3505.20 of the 1773
Revised Code to be eligible to be counted, the individual who 1774
cast that ballot, within four days after the day of that 1775
election, shall provide to the board of elections any 1776
identification or other documentation required to be provided by 1777
the applicable challenge questions asked of that individual 1778
under section 3505.20 of the Revised Code. 1779

(C) (1) If an individual declares that the individual is 1780
eligible to vote in a precinct other than the precinct in which 1781
the individual desires to vote, or if, upon review of the 1782
precinct voting location guide using the residential street 1783
address provided by the individual, an election official at the 1784
precinct at which the individual desires to vote determines that 1785
the individual is not eligible to vote in that precinct, the 1786
election official shall direct the individual to the precinct 1787
and polling place in which the individual appears to be eligible 1788
to vote, explain that the individual may cast a provisional 1789
ballot at the current location but the ballot or a portion of 1790
the ballot will not be counted if it is cast in the wrong 1791
precinct, and provide the telephone number of the board of 1792
elections in case the individual has additional questions. 1793

(2) If the individual refuses to travel to the correct 1794
precinct or to the office of the board of elections to cast a 1795
ballot, the individual shall be permitted to vote a provisional 1796

ballot at that precinct in accordance with division (B) of this 1797
section. If the individual is in the correct polling location 1798
for the precinct in which the individual is registered and 1799
eligible to vote, the election official shall complete and sign, 1800
under penalty of election falsification, a form that includes 1801
all of the following, and attach the form to the individual's 1802
provisional ballot affirmation: 1803

(a) The name or number of the individual's correct 1804
precinct; 1805

(b) A statement that the election official instructed the 1806
individual to travel to the correct precinct to vote; 1807

(c) A statement that the election official informed the 1808
individual that casting a provisional ballot in the wrong 1809
precinct would result in all or a portion of the votes on the 1810
ballot being rejected; 1811

(d) The name or number of the precinct in which the 1812
individual is casting a provisional ballot; and 1813

(e) The name of the polling location in which the 1814
individual is casting a provisional ballot. 1815

(D) The appropriate local election official shall cause 1816
voting information to be publicly posted at each polling place 1817
on the day of each election. 1818

(E) As used in this section and sections 3505.182 and 1819
3505.183 of the Revised Code: 1820

(1) "Precinct voting location guide" means either of the 1821
following: 1822

(a) An electronic or paper record that lists the correct 1823
precinct and polling place for either each specific residential 1824

street address in the county or the range of residential street 1825
addresses located in each neighborhood block in the county; 1826

(b) Any other method that a board of elections creates 1827
that allows a precinct election official or any elector who is 1828
at a polling place in that county to determine the correct 1829
precinct and polling place of any qualified elector who resides 1830
in the county. 1831

(2) "Voting information" means all of the following: 1832

(a) A sample version of the ballot that will be used for 1833
that election; 1834

(b) Information regarding the date of the election and the 1835
hours during which polling places will be open; 1836

(c) Instructions on how to vote, including how to cast a 1837
vote and how to cast a provisional ballot; 1838

(d) Instructions for mail-in registrants and first-time 1839
voters under applicable federal and state laws; 1840

(e) General information on voting rights under applicable 1841
federal and state laws, including information on the right of an 1842
individual to cast a provisional ballot and instructions on how 1843
to contact the appropriate officials if these rights are alleged 1844
to have been violated; 1845

(f) General information on federal and state laws 1846
regarding prohibitions against acts of fraud and 1847
misrepresentation. 1848

(F) Nothing in this section or section 3505.183 of the 1849
Revised Code is in derogation of section 3505.24 of the Revised 1850
Code, which permits a blind, disabled, or illiterate elector to 1851
receive assistance in the marking of the elector's ballot by two 1852

precinct election officials of different political parties. A 1853
blind, disabled, or illiterate elector may receive assistance in 1854
marking that elector's provisional ballot and in completing the 1855
required affirmation in the same manner as an elector may 1856
receive assistance on the day of an election under that section. 1857

Sec. 3509.02. (A) Any qualified elector may vote by absent 1858
voter's ballots at an election. 1859

(B) Any qualified elector who is unable to appear at the 1860
office of the board of elections or, if pursuant to division (C) 1861
of section 3501.10 of the Revised Code the board has designated 1862
another location in the county at which registered electors may 1863
vote, at that other location on account of personal illness, 1864
physical disability, or infirmity, and who moves from one 1865
precinct to another within a county, changes the elector's name 1866
and moves from one precinct to another within a county, or moves 1867
from one county to another county within the state, on or prior 1868
to the day of a general, primary, or special election and has 1869
not filed a notice of change of residence or change of name may 1870
vote by absent voter's ballots in that election as specified in 1871
division ~~(G)~~ (E) of section 3503.16 of the Revised Code. 1872

Sec. 3509.04. (A) If a board of elections receives an 1873
application for absent voter's ballots that does not contain all 1874
of the required information or is not submitted on an 1875
appropriate form, the board promptly shall notify the applicant 1876
of the additional information required to be provided by the 1877
applicant to complete that application, direct the applicant to 1878
use an appropriate form, or both, as applicable. 1879

(B) Upon receipt by the board of elections of an 1880
application for absent voter's ballots that contains all of the 1881
required information and is submitted on an appropriate form, as 1882

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

"Identification Envelope Statement of Voter 1891

I, _____ (Name of voter), declare under 1892
penalty of election falsification that the within ballot or 1893
ballots contained no voting marks of any kind when I received 1894
them, and I caused the ballot or ballots to be marked, enclosed 1895
in the identification envelope, and sealed in that envelope. 1896

My voting residence in Ohio is 1897

_____ 1898

(Street and Number, if any, or Rural Route and Number) 1899

of _____ (City, Village, or Township) 1900
Ohio, which is in Ward _____ Precinct _____ 1901
in that city, village, or township. 1902

If I have a confidential voter registration record, I am 1903
providing my program participant identification number instead 1904
of my residence address: _____ 1905

The primary election ballots, if any, within this envelope 1906
are primary election ballots of the _____ Party. 1907

Ballots contained within this envelope are to be voted at 1908
the _____ (general, special, or primary) election to be 1909
held on the _____ day of 1910

_____, _____. 1911

My date of birth is _____ (Month and Day), 1912
_____ (Year). 1913

(Voter must provide one of the following:) 1914

My Ohio driver's license or state identification card 1915
number is _____ (Driver's license or state 1916
identification card number). 1917

The last four digits of my Social Security Number are 1918
_____ (Last four digits of Social Security Number). 1919

_____ In lieu of providing a driver's license or state 1920
identification card number or the last four digits of my Social 1921
Security Number, I am enclosing a copy of my photo 1922
identification in the return envelope in which this 1923
identification envelope will be mailed. 1924

I hereby declare, under penalty of election falsification, 1925
that the statements above are true, as I verily believe. 1926

_____ 1927

(Signature of Voter) 1928

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1929
THE FIFTH DEGREE." 1930

The board shall mail with the ballots and the unsealed 1931
identification envelope an unsealed return envelope upon the 1932
face of which shall be printed the post-office address of the 1933
board. In the upper left corner on the face of the return 1934
envelope, several blank lines shall be printed upon which the 1935
voter may write the voter's name and return address. The return 1936
envelope shall be of such size that the identification envelope 1937

can be conveniently placed within it for returning the 1938
identification envelope to the board. 1939

No public office, and no public official or employee who 1940
is acting in an official capacity, shall prepay the return 1941
postage for any absent voter's ballots. 1942

Except as otherwise provided in this section and in 1943
sections 3505.24 and 3509.08 of the Revised Code, an election 1944
official shall not fill out any portion of an identification 1945
envelope statement of voter or an absent voter's ballot on 1946
behalf of an elector. A board of elections may preprint only an 1947
elector's name and address on an identification envelope 1948
statement of voter before mailing absent voter's ballots to the 1949
elector, except that if the elector has a confidential voter 1950
registration record, as described in section 111.44 of the 1951
Revised Code, the board of elections shall not preprint the 1952
elector's address on the identification envelope statement of 1953
voter. 1954

Sec. 3509.07. If election officials find that any of the 1955
following are true concerning an absent voter's ballot or absent 1956
voter's presidential ballot cast under section 3503.16, 3509.05, 1957
3509.08, or 3511.09 of the Revised Code and, if applicable, the 1958
person did not provide any required additional information to 1959
the board of elections not later than the fourth day after the 1960
day of the election, as permitted under division (D) (3) (b) or 1961
(E) (2) of section 3509.06 of the Revised Code, the ballot shall 1962
not be accepted or counted: 1963

(A) The statement accompanying the ballot is incomplete as 1964
described in division (D) (3) (a) of section 3509.06 of the 1965
Revised Code or is insufficient; 1966

(B) The signatures do not correspond with the person's 1967
registration signature; 1968

(C) The applicant is not a qualified elector in the 1969
precinct or for the election in which the elector cast the 1970
ballot; 1971

(D) The ballot envelope contains more than one ballot of 1972
any one kind, or any voted ballot that the elector is not 1973
entitled to vote; 1974

(E) Stub A is detached from the absent voter's ballot or 1975
absent voter's presidential ballot; ~~or~~ 1976

(F) The elector has not included with the elector's ballot 1977
any identification required under section 3509.05 or 3511.09 of 1978
the Revised Code. 1979

The vote of any absent voter may be challenged for cause 1980
in the same manner as other votes are challenged, and the 1981
election officials shall determine the legality of that ballot. 1982
Every ballot not counted shall be endorsed on its back "Not 1983
Counted" with the reasons the ballot was not counted, and shall 1984
be enclosed and returned to or retained by the board of 1985
elections along with the contested ballots. 1986

Sec. 3509.08. (A) Any qualified elector, who, on account 1987
of the elector's own personal illness, physical disability, or 1988
infirmity, or on account of the elector's confinement in a jail 1989
or workhouse under sentence for a misdemeanor or awaiting trial 1990
on a felony or misdemeanor, will be unable to travel from the 1991
elector's home or place of confinement to the voting booth in 1992
the elector's precinct on the day of any general, special, or 1993
primary election may make application in writing for an absent 1994
voter's ballot to the board of elections of the elector's county 1995

in the manner described in section 3509.03 of the Revised Code. 1996
The application shall state the nature of the elector's illness, 1997
physical disability, or infirmity, or the fact that the elector 1998
is confined in a jail or workhouse and the elector's resultant 1999
inability to travel to the election booth in the elector's 2000
precinct on election day. 2001

The absent voter's ballot may be mailed directly to the 2002
applicant at the applicant's voting residence or place of 2003
confinement as stated in the applicant's application, or the 2004
board may designate two board employees belonging to the two 2005
major political parties for the purpose of delivering the ballot 2006
to the disabled or confined elector and returning it to the 2007
board, unless the applicant is confined to a public or private 2008
institution within the county, in which case the board shall 2009
designate two board employees belonging to the two major 2010
political parties for the purpose of delivering the ballot to 2011
the disabled or confined elector and returning it to the board. 2012
In all other instances, the ballot shall be returned to the 2013
office of the board in the manner prescribed in section 3509.05 2014
of the Revised Code. 2015

Any disabled or confined elector who declares to the two 2016
board employees belonging to the two major political parties 2017
that the elector is unable to mark the elector's ballot by 2018
reason of physical infirmity that is apparent to the employees 2019
to be sufficient to incapacitate the voter from marking the 2020
elector's ballot properly, may receive, upon request, the 2021
assistance of the employees in marking the elector's ballot, and 2022
they shall thereafter give no information in regard to this 2023
matter. Such assistance shall not be rendered for any other 2024
cause. 2025

When two board employees belonging to the two major 2026
political parties deliver a ballot to a disabled or confined 2027
elector, each of the employees shall be present when the ballot 2028
is delivered, when assistance is given, and when the ballot is 2029
returned to the office of the board, and shall subscribe to the 2030
declaration on the identification envelope. 2031

The secretary of state shall prescribe the form of 2032
application for absent voter's ballots under this division. 2033

This chapter applies to disabled and confined absent 2034
voter's ballots except as otherwise provided in this section. 2035

(B) (1) Any qualified elector who is unable to travel to 2036
the voting booth in the elector's precinct on the day of any 2037
general, special, or primary election may apply to the board of 2038
elections of the county where the elector is a qualified elector 2039
to vote in the election by absent voter's ballot if either of 2040
the following apply: 2041

(a) The elector is confined in a hospital as a result of 2042
an accident or unforeseeable medical emergency occurring before 2043
the election; 2044

(b) The elector's minor child is confined in a hospital as 2045
a result of an accident or unforeseeable medical emergency 2046
occurring before the election. 2047

(2) The application authorized under division (B) (1) of 2048
this section shall be made in writing in the manner described in 2049
section 3509.03 of the Revised Code, except that the application 2050
shall be delivered to the office of the board not later than 2051
three p.m. on the day of the election. The application shall 2052
indicate the hospital where the applicant or the applicant's 2053
child is confined, the date of the applicant's or the 2054

applicant's child's admission to the hospital, and the offices 2055
for which the applicant is qualified to vote. The applicant may 2056
also request that a member of the applicant's family, as listed 2057
in section 3509.05 of the Revised Code, deliver the absent 2058
voter's ballot to the applicant. The board, after establishing 2059
to the board's satisfaction the validity of the circumstances 2060
claimed by the applicant, shall supply an absent voter's ballot 2061
to be delivered to the applicant. When the applicant or the 2062
applicant's child is in a hospital in the county where the 2063
applicant is a qualified elector and no request is made for a 2064
member of the family to deliver the ballot, the board shall 2065
arrange for the delivery of an absent voter's ballot to the 2066
applicant, and for its return to the office of the board, by two 2067
board employees belonging to the two major political parties 2068
according to the procedures prescribed in division (A) of this 2069
section. When the applicant or the applicant's child is in a 2070
hospital outside the county where the applicant is a qualified 2071
elector and no request is made for a member of the family to 2072
deliver the ballot, the board shall arrange for the delivery of 2073
an absent voter's ballot to the applicant by mail, and the 2074
ballot shall be returned to the office of the board in the 2075
manner prescribed in section 3509.05 of the Revised Code. 2076

(3) Any qualified elector who is eligible to vote under 2077
division (B) or (C) of section 3503.16 of the Revised Code but 2078
is unable to do so because of the circumstances described in 2079
division (B)(2) of this section may vote in accordance with 2080
division (B)(1) of this section if that qualified elector states 2081
in the application for absent voter's ballots that that 2082
qualified elector moved or had a change of name under the 2083
circumstances described in division (B) or (C) of section 2084
3503.16 of the Revised Code and if that qualified elector 2085

complies with divisions ~~(G) (1)~~ (E) (1) to (4) of section 3503.16 2086
of the Revised Code. 2087

(C) Any qualified elector described in division (A) or (B) 2088
(1) of this section who needs no assistance to vote or to return 2089
absent voter's ballots to the board of elections may apply for 2090
absent voter's ballots under section 3509.03 of the Revised Code 2091
instead of applying for them under this section or may cast 2092
absent voter's ballots in person under section 3509.051 of the 2093
Revised Code. 2094

(D) Any qualified elector described in division (A) or (B) 2095
(1) of this section to whom ballots are delivered by two 2096
employees of the board of elections or who votes with the 2097
assistance of two employees of the board of elections shall be 2098
considered to have cast absent voter's ballots by mail, rather 2099
than in person, for the purpose of the laws governing voter 2100
identification. 2101

Sec. 3513.041. A write-in space shall be provided on the 2102
ballot for every office, except in an election for which the 2103
board of elections has received no valid declarations of intent 2104
to be a write-in candidate under this section. Write-in votes 2105
shall not be counted for any candidate who has not filed a 2106
declaration of intent to be a write-in candidate pursuant to 2107
this section. A qualified person who has filed a declaration of 2108
intent may receive write-in votes at either a primary or general 2109
election. Any candidate shall file a declaration of intent to be 2110
a write-in candidate before four p.m. of the seventy-second day 2111
preceding the election at which such candidacy is to be 2112
considered. If the election is to be determined by electors of a 2113
county or a district or subdivision within the county, such 2114
declaration shall be filed with the board of elections of that 2115

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

A board of elections shall not accept for filing the 2134
declaration of intent to be a write-in candidate of a person 2135
seeking to become a candidate if that person, for the same 2136
election, has already filed a declaration of candidacy, a 2137
declaration of intent to be a write-in candidate, or a 2138
nominating petition, or has become a candidate through party 2139
nomination at a primary election or by the filling of a vacancy 2140
under section 3513.30 or 3513.31 of the Revised Code, for any 2141
federal, state, or county office, if the declaration of intent 2142
to be a write-in candidate is for a state or county office, or 2143
for any municipal or township office, for member of a city, 2144
local, or exempted village board of education, or for member of 2145
a governing board of an educational service center, if the 2146

declaration of intent to be a write-in candidate is for a 2147
municipal or township office, or for member of a city, local, or 2148
exempted village board of education, or for member of a 2149
governing board of an educational service center. 2150

No person shall file a declaration of intent to be a 2151
write-in candidate for the office of governor unless the 2152
declaration also shows the intent of another person to be a 2153
write-in candidate for the office of lieutenant governor. No 2154
person shall file a declaration of intent to be a write-in 2155
candidate for the office of lieutenant governor unless the 2156
declaration also shows the intent of another person to be a 2157
write-in candidate for the office of governor. No person shall 2158
file a declaration of intent to be a write-in candidate for the 2159
office of governor or lieutenant governor if the person has 2160
previously filed a declaration of intent to be a write-in 2161
candidate to the office of governor or lieutenant governor at 2162
the same primary or general election. A write-in vote for the 2163
two candidates who file such a declaration shall be counted as a 2164
vote for them as joint candidates for the offices of governor 2165
and lieutenant governor. 2166

The secretary of state shall not accept for filing the 2167
declaration of intent to be a write-in candidate of a person for 2168
the office of governor unless the declaration also shows the 2169
intent of another person to be a write-in candidate for the 2170
office of lieutenant governor, shall not accept for filing the 2171
declaration of intent to be a write-in candidate of a person for 2172
the office of lieutenant governor unless the declaration also 2173
shows the intent of another person to be a write-in candidate 2174
for the office of governor, and shall not accept for filing the 2175
declaration of intent to be a write-in candidate of a person to 2176
the office of governor or lieutenant governor if that person, 2177

for the same election, has already filed a declaration of 2178
candidacy, a declaration of intent to be a write-in candidate, 2179
or a nominating petition, or has become a candidate through 2180
party nomination at a primary election or by the filling of a 2181
vacancy under section 3513.30 or 3513.31 of the Revised Code, 2182
for any other state office or any federal or county office. 2183

Protests against the candidacy of any person filing a 2184
declaration of intent to be a write-in candidate may be filed by 2185
any qualified elector who is eligible to vote in the election at 2186
which the candidacy is to be considered. The protest shall be in 2187
writing and shall be filed not later than four p.m. of the 2188
sixty-seventh day before the day of the election. The protest 2189
shall be filed with the board of elections with which the 2190
declaration of intent to be a write-in candidate was filed. Upon 2191
the filing of the protest, the board with which it is filed 2192
shall promptly fix the time for hearing it and shall proceed in 2193
regard to the hearing in the same manner as for hearings set for 2194
protests filed under section 3513.05 of the Revised Code. At the 2195
time fixed, the board shall hear the protest and determine the 2196
validity or invalidity of the declaration of intent to be a 2197
write-in candidate. If the board finds that the candidate is not 2198
an elector of the state, district, county, or political 2199
subdivision in which the candidate seeks election to office; is 2200
disqualified under section 3513.191 of the Revised Code; or has 2201
not fully complied with the requirements of Title XXXV of the 2202
Revised Code in regard to the candidate's candidacy, the 2203
candidate's declaration of intent to be a write-in candidate 2204
shall be determined to be invalid and shall be rejected; 2205
otherwise, it shall be determined to be valid. The determination 2206
of the board is final. 2207

The secretary of state shall prescribe the form of the 2208

declaration of intent to be a write-in candidate. 2209

Sec. 3513.05. Each person desiring to become a candidate 2210
for a party nomination at a primary election or for election to 2211
an office or position to be voted for at a primary election, 2212
except persons desiring to become joint candidates for the 2213
offices of governor and lieutenant governor and except as 2214
otherwise provided in section 3513.051 of the Revised Code, 2215
shall, not later than four p.m. of the ninetieth day before the 2216
day of the primary election, file a declaration of candidacy and 2217
petition and pay the fees required under divisions (A) and (B) 2218
of section 3513.10 of the Revised Code. The declaration of 2219
candidacy and all separate petition papers shall be filed at the 2220
same time as one instrument. When the offices are to be voted 2221
for at a primary election, persons desiring to become joint 2222
candidates for the offices of governor and lieutenant governor 2223
shall, not later than four p.m. of the ninetieth day before the 2224
day of the primary election, comply with section 3513.04 of the 2225
Revised Code. The prospective joint candidates' declaration of 2226
candidacy and all separate petition papers of candidacies shall 2227
be filed at the same time as one instrument. The secretary of 2228
state or a board of elections shall not accept for filing a 2229
declaration of candidacy and petition of a person seeking to 2230
become a candidate if that person, for the same election, has 2231
already filed a declaration of candidacy or a declaration of 2232
intent to be a write-in candidate, or has become a candidate by 2233
the filling of a vacancy under section 3513.30 of the Revised 2234
Code for any federal, state, or county office, if the 2235
declaration of candidacy is for a state or county office, or for 2236
any municipal or township office, if the declaration of 2237
candidacy is for a municipal or township office. 2238

If the declaration of candidacy declares a candidacy which 2239

is to be submitted to electors throughout the entire state, the 2240
petition, including a petition for joint candidates for the 2241
offices of governor and lieutenant governor, shall be signed by 2242
at least one thousand qualified electors who are ~~members of~~ 2243
affiliated with the same political party as the candidate or 2244
joint candidates, and the declaration of candidacy and petition 2245
shall be filed with the secretary of state; provided that the 2246
secretary of state shall not accept or file any such petition 2247
appearing on its face to contain signatures of more than three 2248
thousand electors. 2249

Except as otherwise provided in this paragraph, if the 2250
declaration of candidacy is of one that is to be submitted only 2251
to electors within a district, political subdivision, or portion 2252
thereof, the petition shall be signed by not less than fifty 2253
qualified electors who are ~~members of~~ affiliated with the same 2254
political party as ~~the political party of which the candidate is~~ 2255
~~a member~~. If the declaration of candidacy is for party 2256
nomination as a candidate for member of the legislative 2257
authority of a municipal corporation elected by ward, the 2258
petition shall be signed by not less than twenty-five qualified 2259
electors who are ~~members of~~ affiliated with the same political 2260
party ~~of which as~~ the candidate ~~is a member~~. 2261

No such petition, except the petition for a candidacy that 2262
is to be submitted to electors throughout the entire state, 2263
shall be accepted for filing if it appears to contain on its 2264
face signatures of more than three times the minimum number of 2265
signatures. When a petition of a candidate has been accepted for 2266
filing by a board of elections, the petition shall not be deemed 2267
invalid if, upon verification of signatures contained in the 2268
petition, the board of elections finds the number of signatures 2269
accepted exceeds three times the minimum number of signatures 2270

required. A board of elections may discontinue verifying 2271
signatures on petitions when the number of verified signatures 2272
equals the minimum required number of qualified signatures. 2273

If the declaration of candidacy declares a candidacy for 2274
party nomination or for election as a candidate of a minor 2275
party, the minimum number of signatures on such petition is one- 2276
half the minimum number provided in this section, except that, 2277
when the candidacy is one for election as a member of the state 2278
central committee or the county central committee of a political 2279
party, the minimum number shall be the same for a minor party as 2280
for a major party. 2281

If a declaration of candidacy is one for election as a 2282
member of the state central committee or the county central 2283
committee of a political party, the petition shall be signed by 2284
five qualified electors of the district, county, ward, township, 2285
or precinct within which electors may vote for such candidate. 2286
The electors signing such petition shall be ~~members of~~ 2287
~~affiliated with~~ the same political party as the ~~political party~~ 2288
~~of which the candidate is a member.~~ 2289

~~For purposes of signing or circulating a petition of~~ 2290
~~candidacy for party nomination or election, an elector is~~ 2291
~~considered to be a member of a political party if the elector~~ 2292
~~voted in that party's primary election within the preceding two~~ 2293
~~calendar years, or if the elector did not vote in any other~~ 2294
~~party's primary election within the preceding two calendar~~ 2295
~~years.~~ 2296

If the declaration of candidacy is of one that is to be 2297
submitted only to electors within a county, or within a district 2298
or subdivision or part thereof smaller than a county, the 2299
petition shall be filed with the board of elections of the 2300

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

A petition shall consist of separate petition papers, each 2307
of which shall contain signatures of electors of only one 2308
county. Petitions or separate petition papers containing 2309
signatures of electors of more than one county shall not thereby 2310
be declared invalid. In case petitions or separate petition 2311
papers containing signatures of electors of more than one county 2312
are filed, the board shall determine the county from which the 2313
majority of signatures came, and only signatures from such 2314
county shall be counted. Signatures from any other county shall 2315
be invalid. 2316

Each separate petition paper shall be circulated by one 2317
person only, who shall be the candidate or a joint candidate or 2318
a ~~member of person who is affiliated with~~ the same political 2319
party as the candidate or joint candidates, and each separate 2320
petition paper shall be governed by the rules set forth in 2321
section 3501.38 of the Revised Code. 2322

The secretary of state shall promptly transmit to each 2323
board such separate petition papers of each petition 2324
accompanying a declaration of candidacy filed with the secretary 2325
of state as purport to contain signatures of electors of the 2326
county of such board. The board of the most populous county of a 2327
district shall promptly transmit to each board within such 2328
district such separate petition papers of each petition 2329
accompanying a declaration of candidacy filed with it as purport 2330

to contain signatures of electors of the county of each such 2331
board. The board of a county within which the major portion of 2332
the population of a subdivision, situated in more than one 2333
county, is located, shall promptly transmit to the board of each 2334
other county within which a portion of such subdivision is 2335
located such separate petition papers of each petition 2336
accompanying a declaration of candidacy filed with it as purport 2337
to contain signatures of electors of the portion of such 2338
subdivision in the county of each such board. 2339

All petition papers so transmitted to a board and all 2340
petitions accompanying declarations of candidacy filed with a 2341
board shall, under proper regulations, be open to public 2342
inspection until four p.m. of the eightieth day before the day 2343
of the next primary election. Each board shall, not later than 2344
the seventy-eighth day before the day of that primary election, 2345
examine and determine the validity or invalidity of the 2346
signatures on the petition papers so transmitted to or filed 2347
with it and shall return to the secretary of state all petition 2348
papers transmitted to it by the secretary of state, together 2349
with its certification of its determination as to the validity 2350
or invalidity of signatures thereon, and shall return to each 2351
other board all petition papers transmitted to it by such board, 2352
together with its certification of its determination as to the 2353
validity or invalidity of the signatures thereon. All other 2354
matters affecting the validity or invalidity of such petition 2355
papers shall be determined by the secretary of state or the 2356
board with whom such petition papers were filed. 2357

For purposes of being eligible to sign or circulate a 2358
petition of candidacy for party nomination or election, an 2359
elector is considered to be affiliated with a political party 2360
if, at the time the petition is verified, the elector is 2361

affiliated with that party as determined under section 3503.071 2362
of the Revised Code, and the elector is not ineligible to sign 2363
or circulate the petition under division (D)(1) of that section. 2364

Protests against the candidacy of any person filing a 2365
declaration of candidacy for party nomination or for election to 2366
an office or position, as provided in this section, may be filed 2367
by any qualified elector who is ~~a member of~~ affiliated with the 2368
same political party as the candidate and who is eligible to 2369
vote at the primary election for the candidate whose declaration 2370
of candidacy the elector objects to, or by the controlling 2371
committee of that political party. The protest shall be in 2372
writing, and shall be filed not later than four p.m. of the 2373
seventy-fourth day before the day of the primary election. The 2374
protest shall be filed with the election officials with whom the 2375
declaration of candidacy and petition was filed. Upon the filing 2376
of the protest, the election officials with whom it is filed 2377
shall promptly fix the time for hearing it, and shall forthwith 2378
mail notice of the filing of the protest and the time fixed for 2379
hearing to the person whose candidacy is so protested. They 2380
shall also forthwith mail notice of the time fixed for such 2381
hearing to the person who filed the protest. At the time fixed, 2382
such election officials shall hear the protest and determine the 2383
validity or invalidity of the declaration of candidacy and 2384
petition. If they find that such candidate is not an elector of 2385
the state, district, county, or political subdivision in which 2386
the candidate seeks a party nomination or election to an office 2387
or position, is disqualified under section 3513.191 of the 2388
Revised Code, or has not fully complied with this chapter, the 2389
candidate's declaration of candidacy and petition shall be 2390
determined to be invalid and shall be rejected; otherwise, it 2391
shall be determined to be valid. That determination shall be 2392

final. 2393

A protest against the candidacy of any persons filing a 2394
declaration of candidacy for joint party nomination to the 2395
offices of governor and lieutenant governor shall be filed, 2396
heard, and determined in the same manner as a protest against 2397
the candidacy of any person filing a declaration of candidacy 2398
singly. 2399

The secretary of state shall, on the seventieth day before 2400
the day of a primary election, certify to each board in the 2401
state the forms of the official ballots to be used at the 2402
primary election, together with the names of the candidates to 2403
be printed on the ballots whose nomination or election is to be 2404
determined by electors throughout the entire state and who filed 2405
valid declarations of candidacy and petitions. 2406

The board of the most populous county in a district 2407
comprised of more than one county but less than all of the 2408
counties of the state shall, on the seventieth day before the 2409
day of a primary election, certify to the board of each county 2410
in the district the names of the candidates to be printed on the 2411
official ballots to be used at the primary election, whose 2412
nomination or election is to be determined only by electors 2413
within the district and who filed valid declarations of 2414
candidacy and petitions. 2415

The board of a county within which the major portion of 2416
the population of a subdivision smaller than the county and 2417
situated in more than one county is located shall, on the 2418
seventieth day before the day of a primary election, certify to 2419
the board of each county in which a portion of that subdivision 2420
is located the names of the candidates to be printed on the 2421
official ballots to be used at the primary election, whose 2422

nomination or election is to be determined only by electors 2423
within that subdivision and who filed valid declarations of 2424
candidacy and petitions. 2425

Sec. 3513.07. The form of declaration of candidacy and 2426
petition of a person desiring to be a candidate for a party 2427
nomination or a candidate for election to an office or position 2428
to be voted for at a primary election shall be substantially as 2429
follows: 2430

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 2431

I, _____ (Name of Candidate), the 2432
undersigned, hereby declare under penalty of election 2433
falsification that my voting residence is in _____ 2434
precinct of the _____ (Township) or 2435
(Ward and City or Village) in the county of _____, 2436
Ohio; that my voting residence is _____ (Street and 2437
Number, if any, or Rural Route and Number) of the 2438
_____ (City or Village) of 2439
_____, Ohio; and that I am a qualified elector in 2440
the precinct in which my voting residence is located. I am ~~a~~ 2441
~~member of~~ affiliated with the _____ Party. I hereby declare 2442
that I desire to be _____ (a candidate for 2443
nomination as a candidate of the Party for election to the 2444
office of _____) (a candidate for election to the office 2445
or position of _____) for the _____ in the 2446
state, district, (Full term or unexpired term ending 2447
_____) county, city, or village of 2448
_____, at the primary election to be held on the 2449
_____ day of _____, _____, and I hereby request that 2450
my name be printed upon the official primary election ballot of 2451
the said _____ Party as a candidate for _____ (such 2452

nomination) or (such election) as provided by law. 2453

I further declare that, if elected to said office or 2454
position, I will qualify therefor, and that I will support and 2455
abide by the principles enunciated by the _____ Party. 2456

Dated this _____ day of _____, _____ 2457

_____ 2458

(Signature of candidate) 2459

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2460
FELONY OF THE FIFTH DEGREE. 2461

PETITION OF CANDIDATE 2462

We, the undersigned, qualified electors of the state of 2463
Ohio, whose voting residence is in the county, city, village, 2464
ward, township, or school district, and precinct set opposite 2465
our names, and ~~members of~~ affiliated with the 2466
_____ Party, hereby certify 2467
that _____ (Name of candidate) whose 2468
declaration of candidacy is filed herewith, is ~~a member of~~ 2469
affiliated with the _____ Party, and is, in our opinion, 2470
well qualified to perform the duties of the office or position 2471
to which that candidate desires to be elected. 2472

Street City, 2473

and Village or 2474

Signature Number Township Ward Precinct County Date 2475

(Must use address on file with the board of elections) 2476

_____ 2477

_____ 2478

_____ 2479

_____ (Name of circulator 2480
of petition), declares under penalty of election falsification 2481
that the circulator of the petition is a qualified elector of 2482
the state of Ohio and resides at the address appearing below the 2483
signature of that circulator; that the circulator is ~~a member of~~ 2484
affiliated with the _____ Party; that the circulator is 2485
the circulator of the foregoing petition paper containing 2486
_____ (Number) signatures; that the circulator witnessed 2487
the affixing of every signature; that all signers were to the 2488
best of the circulator's knowledge and belief qualified to sign; 2489
and that every signature is to the best of the circulator's 2490
knowledge and belief the signature of the person whose signature 2491
it purports to be or of an attorney in fact acting pursuant to 2492
section 3501.382 of the Revised Code. 2493

_____ 2494
(Signature of circulator) 2495

_____ 2496
(Address of circulator's 2497
permanent residence in this 2498
state) 2499

_____ 2500
(If petition is for a 2501
statewide candidate, the 2502
name and address of person 2503
employing to circulate 2504
petition, if any) 2505

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2506
FELONY OF THE FIFTH DEGREE." 2507

The secretary of state shall prescribe a form of 2508
declaration of candidacy and petition, and the form shall be 2509
substantially similar to the declaration of candidacy and 2510
petition set forth in this section, that will be suitable for 2511
joint candidates for the offices of governor and lieutenant 2512
governor. 2513

The petition provided for in this section shall be 2514
circulated only by ~~a member of an~~ an elector who is affiliated with 2515
the same political party as the candidate. 2516

Sec. 3513.18. (A) Party primaries shall be held at the 2517
same place and time, but there shall be separate pollbooks and 2518
tally sheets provided at each polling place for each party 2519
participating in the election. The pollbooks shall include each 2520
elector's political party affiliation, if any, and date of 2521
affiliation change, if any, as determined under section 3503.071 2522
of the Revised Code. An elector may vote a political party's 2523
ballot at a primary election only if both of the following are 2524
true: 2525

(1) The elector is affiliated with that political party. 2526

(2) The elector's date of affiliation change, if any, is 2527
not later than the ninetieth day before the day of the primary 2528
election. 2529

(B) If a special election on a question or issue is held 2530
on the day of a primary election, there shall be provided in the 2531
pollbooks pages on which shall be recorded the names of all 2532
electors voting on said question or issue and not voting in such 2533
primary. ~~It shall not be necessary for electors desiring~~ Any 2534

~~elector may choose to vote only on the question or issue to~~ 2535
~~declare their political affiliation questions or issues~~ 2536
~~appearing on the ballot. An elector who is not affiliated with~~ 2537
~~any political party, or whose date of affiliation change is~~ 2538
~~after the ninetieth day before the day of the primary election,~~ 2539
~~shall vote only on the questions or issues appearing on the~~ 2540
~~ballot.~~ 2541

Sec. 3513.19. (A) It is the duty of any precinct election 2542
official, whenever any such official doubts that a person 2543
attempting to vote at a primary election is legally entitled to 2544
vote at that election, to challenge the right of that person to 2545
vote. The right of a person to vote at a primary election may be 2546
challenged as described in section 3505.20 of the Revised Code 2547
or upon either of the following grounds: 2548

~~(1) That the person whose right to vote is challenged is~~ 2549
~~not a legally qualified elector;~~ 2550

~~(2) That the person has received or has been promised some~~ 2551
~~valuable reward or consideration for the person's vote;~~ 2552

~~(3) That the person is not affiliated with or is not a~~ 2553
~~member of the political party whose ballot the person desires to~~ 2554
~~vote. Such party affiliation shall be, as determined by~~ 2555
~~examining the elector's voting record for the current year and~~ 2556
~~the immediately preceding two calendar years as shown on the~~ 2557
~~voter's registration card, using the standards of affiliation~~ 2558
~~specified in the seventh paragraph of under section 3513.05~~ 2559
~~3503.071 of the Revised Code. Division (A) (3) of this section~~ 2560
~~and the seventh paragraph of section 3513.05 of the Revised Code~~ 2561
~~do not prohibit a person who holds an elective office for which~~ 2562
~~candidates are nominated at a party primary election from doing~~ 2563
~~any of the following:~~ 2564

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

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

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

(2) That the person's date of affiliation change, as determined under section 3503.071 of the Revised Code, is after the ninetieth day before the day of the primary election.

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

Sec. 3513.191. ~~(A) No~~ (A) (1) Except as otherwise provided in division (A) (2) of this section, no person shall be a candidate for nomination or election at a party primary if the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years.

~~(B) Notwithstanding division (A) of this section, either~~ 2594
~~of the following persons may be candidates for nomination of any~~ 2595
~~political party at a party primary:~~ 2596

~~(1) A person who does not hold an elective office;~~ 2597

~~(2) A person who holds an elective office other than one~~ 2598
~~for which candidates are nominated at a party primary.~~ 2599

~~(C) (1) Notwithstanding division (A) of this section, a~~ 2600
unless all of the following apply: 2601

(a) The person voted that political party's ballot at the 2602
most recent primary election held in an even-numbered year. 2603

(b) The person has not been affiliated with a different 2604
political party, as determined under section 3503.071 of the 2605
Revised Code, since that primary election. 2606

(c) If applicable, the person has filed a declaration of 2607
intent under division (B) of this section and is not in 2608
violation of division (C) of this section. 2609

(2) Division (A) (1) of this section does not apply to a 2610
newly formed political party for purposes of its first primary 2611
election held after it forms under section 3517.012 of the 2612
Revised Code. No person shall be a candidate for nomination or 2613
election at that primary unless the person is affiliated with 2614
that party, as determined under section 3503.071 of the Revised 2615
Code. 2616

(B) Except as otherwise provided in division (D) of this 2617
section, a person who holds an elective office for which 2618
candidates are nominated at a party primary may be a candidate 2619
at a primary election held during the times specified in 2620
division (C) (2) of this section for nomination as a candidate of 2621

a political party ~~of which the person is prohibited from being a~~ 2622
~~candidate for nomination under division (A) of this section, ,~~ 2623
other than the party that most recently nominated the person as 2624
a candidate for the office the person currently holds, only if 2625
the person files a declaration of intent to seek the nomination 2626
of ~~that the person's new~~ party and if, by filing the 2627
declaration, the person has not violated division ~~(C) (3)~~ (C) of 2628
this section. The declaration of intent shall: 2629

~~(a)~~ (1) Be filed not later than four p.m. of the thirtieth 2630
day before a declaration of candidacy and petition is required 2631
to be filed under section 3513.05 of the Revised Code; 2632

~~(b)~~ (2) Be filed with the same official with whom the 2633
person filing the declaration of intent is required to file a 2634
declaration of candidacy and petition; 2635

~~(c)~~ (3) Indicate the political party whose nomination in 2636
the primary election the person seeks; 2637

~~(d)~~ (4) Be on a form prescribed by the secretary of state. 2638

~~(2)~~ (C) (1) No person filing a declaration of intent under 2639
division ~~(C) (1)~~ (B) of this section shall be a candidate at any 2640
primary election for nomination for an elective office for which 2641
candidates are nominated at a party primary during the calendar 2642
year in which the person files the declaration or during the 2643
next calendar year except as a candidate of the party indicated 2644
under division ~~(C) (1)~~ (B) (3) of this section. 2645

~~(3)~~ (2) No person who files a declaration of intent under 2646
division ~~(C) (1)~~ (B) of this section shall file another such 2647
declaration for a period of ten years after the declaration is 2648
filed. 2649

~~(4) Notwithstanding the seventh paragraph of section~~ 2650

~~3513.05 of the Revised Code, a person who complies with this~~ 2651
~~section may circulate that person's own petition of candidacy~~ 2652
~~for party nomination at the party primary at which the person~~ 2653
~~seeks nomination under this section.~~ 2654

(D) Division (B) of this section does not apply to persons 2655
desiring to become candidates for party nomination of a newly 2656
formed political party meeting the requirements of sections 2657
3517.011 and 3517.012 of the Revised Code for a period of four 2658
calendar years from the date of the party formation. 2659

Sec. 3513.257. ~~Each~~ A person desiring who is not 2660
affiliated with a political party, as determined under section 2661
3503.071 of the Revised Code, to as of the date the person files 2662
a nominating petition under this section may become an 2663
independent candidate for an office for which candidates may be 2664
nominated at a primary election, ~~except~~. If the person becomes 2665
affiliated with a political party, as determined under that 2666
section, after filing a nominating petition under this section 2667
and before the general election, the person is disqualified. 2668

Except for persons desiring to become independent joint 2669
candidates for the offices of governor and lieutenant governor 2670
and for the offices of president and vice-president of the 2671
United States, each person desiring to become an independent 2672
candidate shall file no later than four p.m. of the day before 2673
the day of the primary election immediately preceding the 2674
general election at which such candidacy is to be voted for by 2675
the voters, a statement of candidacy and nominating petition as 2676
provided in section 3513.261 of the Revised Code. Persons 2677
desiring to become independent joint candidates for the offices 2678
of governor and lieutenant governor shall file, not later than 2679
four p.m. of the day before the day of the primary election, one 2680

statement of candidacy and one nominating petition for the two 2681
of them. Persons desiring to become independent joint candidates 2682
for the offices of president and vice-president of the United 2683
States shall file, not later than four p.m. of the ninetieth day 2684
before the day of the general election at which the president 2685
and vice-president are to be elected, one statement of candidacy 2686
and one nominating petition for the two of them. The prospective 2687
independent joint candidates' statement of candidacy shall be 2688
filed with the nominating petition as one instrument. 2689

The statement of candidacy and separate petition papers of 2690
each candidate or pair of joint candidates shall be filed at the 2691
same time as one instrument. 2692

The nominating petition shall contain signatures of 2693
qualified electors of the district, political subdivision, or 2694
portion of a political subdivision in which the candidacy is to 2695
be voted on in an amount to be determined as follows: 2696

(A) If the candidacy is to be voted on by electors 2697
throughout the entire state, the nominating petition, including 2698
the nominating petition of independent joint candidates for the 2699
offices of governor and lieutenant governor, shall be signed by 2700
no less than five thousand qualified electors, provided that no 2701
petition shall be accepted for filing if it purports to contain 2702
more than fifteen thousand signatures. 2703

(B) If the candidacy is to be voted on by electors in any 2704
district, political subdivision, or part thereof in which less 2705
than five thousand electors voted for the office of governor at 2706
the most recent election for that office, the nominating 2707
petition shall contain signatures of not less than twenty-five 2708
qualified electors of the district, political subdivision, or 2709
part thereof, or a number of qualified signatures equal to at 2710

least five per cent of that vote, if this number is less than 2711
twenty-five. 2712

(C) If the candidacy is to be voted on by electors in any 2713
district, political subdivision, or part thereof in which five 2714
thousand or more electors voted for the office of governor at 2715
the most recent election for that office, the nominating 2716
petition shall contain a number of signatures equal to at least 2717
one per cent of those electors. 2718

All nominating petitions of candidates for offices to be 2719
voted on by electors throughout the entire state shall be filed 2720
in the office of the secretary of state. No nominating petition 2721
for the offices of president and vice-president of the United 2722
States shall be accepted for filing unless there is submitted to 2723
the secretary of state, at the time of filing the petition, a 2724
slate of presidential electors sufficient in number to satisfy 2725
the requirement of the United States Constitution. The secretary 2726
of state shall not accept for filing the statement of candidacy 2727
of a person who desires to be an independent candidate for the 2728
office of governor unless it also shows the joint candidacy of a 2729
person who desires to be an independent candidate for the office 2730
of lieutenant governor, shall not accept for filing the 2731
statement of candidacy of a person who desires to be an 2732
independent candidate for the office of lieutenant governor 2733
unless it also shows the joint candidacy of a person who desires 2734
to be an independent candidate for the office of governor, and 2735
shall not accept for filing the statement of candidacy of a 2736
person who desires to be an independent candidate to the office 2737
of governor or lieutenant governor who, for the same election, 2738
has already filed a declaration of candidacy, a declaration of 2739
intent to be a write-in candidate, or a statement of candidacy, 2740
or has become a candidate by the filling of a vacancy under 2741

section 3513.30 of the Revised Code for any other state office 2742
or any federal or county office. 2743

Nominating petitions of candidates for offices to be voted 2744
on by electors within a district or political subdivision 2745
comprised of more than one county but less than all counties of 2746
the state shall be filed with the boards of elections of that 2747
county or part of a county within the district or political 2748
subdivision which had a population greater than that of any 2749
other county or part of a county within the district or 2750
political subdivision according to the last federal decennial 2751
census. 2752

Nominating petitions for offices to be voted on by 2753
electors within a county or district smaller than a county shall 2754
be filed with the board of elections for such county. 2755

No petition other than the petition of a candidate whose 2756
candidacy is to be considered by electors throughout the entire 2757
state shall be accepted for filing if it appears on its face to 2758
contain more than three times the minimum required number of 2759
signatures. A board of elections shall not accept for filing a 2760
nominating petition of a person seeking to become a candidate if 2761
that person, for the same election, has already filed a 2762
declaration of candidacy, a declaration of intent to be a write- 2763
in candidate, or a nominating petition, or has become a 2764
candidate by the filling of a vacancy under section 3513.30 of 2765
the Revised Code for any federal, state, or county office, if 2766
the nominating petition is for a state or county office, or for 2767
any municipal or township office, for member of a city, local, 2768
or exempted village board of education, or for member of a 2769
governing board of an educational service center, if the 2770
nominating petition is for a municipal or township office, or 2771

for member of a city, local, or exempted village board of 2772
education, or for member of a governing board of an educational 2773
service center. When a petition of a candidate has been accepted 2774
for filing by a board of elections, the petition shall not be 2775
deemed invalid if, upon verification of signatures contained in 2776
the petition, the board of elections finds the number of 2777
signatures accepted exceeds three times the minimum number of 2778
signatures required. A board of elections may discontinue 2779
verifying signatures when the number of verified signatures on a 2780
petition equals the minimum required number of qualified 2781
signatures. 2782

Any candidate, other than a candidate for judge of a 2783
municipal court, county court, or court of common pleas, who 2784
files a nominating petition may request, at the time of filing, 2785
that the candidate be designated on the ballot as a nonparty 2786
candidate or as an other-party candidate, or may request that 2787
the candidate's name be placed on the ballot without any 2788
designation. Any such candidate who fails to request a 2789
designation either as a nonparty candidate or as an other-party 2790
candidate shall have the candidate's name placed on the ballot 2791
without any designation. 2792

The purpose of establishing a filing deadline for 2793
independent candidates prior to the primary election immediately 2794
preceding the general election at which the candidacy is to be 2795
voted on by the voters is to recognize that the state has a 2796
substantial and compelling interest in protecting its electoral 2797
process by encouraging political stability, ensuring that the 2798
winner of the election will represent a majority of the 2799
community, providing the electorate with an understandable 2800
ballot, and enhancing voter education, thus fostering informed 2801
and educated expressions of the popular will in a general 2802

election. The filing deadline for independent candidates 2803
required in this section prevents splintered parties and 2804
unrestrained factionalism, avoids political fragmentation, and 2805
maintains the integrity of the ballot. The deadline, one day 2806
prior to the primary election, is the least drastic or 2807
restrictive means of protecting these state interests. The 2808
general assembly finds that the filing deadline for independent 2809
candidates in primary elections required in this section is 2810
reasonably related to the state's purpose of ensuring fair and 2811
honest elections while leaving unimpaired the political, voting, 2812
and associational rights secured by the first and fourteenth 2813
amendments to the United States Constitution. 2814

Sec. 3517.012. (A) (1) When a party formation petition 2815
meeting the requirements of section 3517.01 of the Revised Code 2816
declaring the intention to organize a political party is filed 2817
with the secretary of state, the new party comes into legal 2818
existence on the date of filing and is entitled to nominate 2819
candidates to appear on the ballot at the general election held 2820
in even-numbered years that occurs more than one hundred twenty- 2821
five days after the date of filing. 2822

(2) (a) Upon receiving a party formation petition filed 2823
under division (A) (1) of this section, the secretary of state 2824
shall promptly transmit to each board of elections the separate 2825
petition papers that purport to contain signatures of electors 2826
of that board's county. 2827

(b) Not later than the one hundred eighteenth day before 2828
the day of the general election, each board shall examine and 2829
determine the sufficiency of the signatures on the petition 2830
papers and shall return them to the secretary of state, together 2831
with the board's certification of its determination as to the 2832

validity or invalidity of the signatures on the petition. 2833

(c) Any qualified elector may file a written protest 2834
against the petition with the secretary of state not later than 2835
the one hundred fourteenth day before the day of the general 2836
election. Any such protest shall be resolved in the manner 2837
specified under section 3501.39 of the Revised Code. 2838

(d) Not later than the ninety-fifth day before the day of 2839
the general election, the secretary of state shall determine 2840
whether the party formation petition is sufficient and shall 2841
notify the committee designated in the petition of that 2842
determination. 2843

(B) (1) Not later than one hundred ten days before the day 2844
of that general election and not earlier than the day the 2845
applicable party formation petition is filed, each candidate or 2846
pair of joint candidates wishing to appear on the ballot at the 2847
general election as the nominee or nominees of the party that 2848
filed the party formation petition shall file a nominating 2849
petition, on a form prescribed by the secretary of state, that 2850
includes the name of the political party that submitted the 2851
party formation petition. Except as otherwise provided in this 2852
section and sections 3505.03, 3505.08, 3506.11, 3513.31, 2853
3513.311, and 3513.312 of the Revised Code, the provisions of 2854
the Revised Code concerning independent candidates who file 2855
nominating petitions apply to candidates who file nominating 2856
petitions under this section. 2857

(2) (a) If the candidacy is to be submitted to electors 2858
throughout the entire state, the nominating petition, including 2859
a petition for joint candidates for the offices of governor and 2860
lieutenant governor, shall be signed by at least fifty qualified 2861
electors who ~~have not voted as a member of~~ are not affiliated 2862

~~with a different political party at any primary election within~~ 2863
~~the current year or the immediately preceding two calendar~~ 2864
~~years, as determined under section 3503.071 of the Revised Code.~~ 2865

(b) ~~Except as otherwise provided in this division, if~~ 2866
~~If~~ the candidacy is to be submitted only to electors within a 2867
district, political subdivision, or portion thereof, the 2868
nominating petition shall be signed by not less than five 2869
qualified electors who ~~have not voted as a member of~~ are not 2870
affiliated with a different political party ~~at any primary~~ 2871
~~election within the current year or the immediately preceding~~ 2872
~~two calendar years, as determined under section 3503.231 of the~~ 2873
Revised Code. 2874

(3) (a) Each board of elections that is responsible to 2875
verify signatures on the nominating petition shall examine and 2876
determine the sufficiency of those signatures not later than the 2877
one hundred fifth day before the day of the general election ~~and~~ 2878
~~shall be resolved as specified in that section.~~ 2879

(b) Written protests against the petition may be filed in 2880
the manner specified under section 3513.263 of the Revised Code 2881
not later than the one hundredth day before the general election 2882
and shall be resolved as specified in that section. 2883

(c) Not later than the ninety-fifth day before the day of 2884
the general election, the secretary of state or the board of 2885
elections, as applicable, shall determine whether the nominating 2886
petition is sufficient and shall notify the candidate and the 2887
committee designated in the party formation petition of that 2888
determination. 2889

(C) (1) After being notified that the political party has 2890
submitted a sufficient party formation petition under division 2891

(A) of this section, the committee designated in a party 2892
formation petition shall, not later than the seventy-fifth day 2893
before the day of the general election, certify to the secretary 2894
of state a slate of candidates consisting of candidates or joint 2895
candidates who submitted sufficient nominating petitions under 2896
division (B) of this section. The slate certifying the 2897
candidates shall be on a form prescribed by the secretary of 2898
state and signed by all of the individuals of the committee 2899
designated in the party formation petition. In no event shall 2900
the slate of candidates include more than one candidate for any 2901
public office or more than one set of joint candidates for the 2902
offices of governor and lieutenant governor. The names of the 2903
candidates or joint candidates so certified shall appear on the 2904
ballot at the general election as that party's nominees for 2905
those offices. For purposes of this division, "joint candidates" 2906
means the joint candidates for the offices of governor and 2907
lieutenant governor. 2908

(2) If a candidate's nominating petition is insufficient 2909
or if the committee does not certify the candidate's name under 2910
division (C)(1) of this section, the candidate shall not appear 2911
on the ballot in the general election. 2912

(3) If a party formation petition is insufficient, no 2913
candidate shall appear on the ballot in the general election as 2914
that political party's nominee, regardless of whether any 2915
candidate's nominating petition is sufficient. 2916

Sec. 3599.12. (A) No person shall do any of the following: 2917

(1) Vote or attempt to vote in any primary, special, or 2918
general election in a precinct in which that person is not a 2919
legally qualified elector; 2920

(2) Vote or attempt to vote more than once at the same 2921
election by any means, including voting or attempting to vote 2922
both by absent voter's ballots under division ~~(G)~~ (E) of section 2923
3503.16 of the Revised Code and by regular ballot at the polls 2924
at the same election, or voting or attempting to vote both by 2925
absent voter's ballots under division ~~(G)~~ (E) of section 3503.16 2926
of the Revised Code and by absent voter's ballots under Chapter 2927
3509. or armed service absent voter's ballots under Chapter 2928
3511. of the Revised Code at the same election; 2929

(3) Impersonate or sign the name of another person, real 2930
or fictitious, living or dead, and vote or attempt to vote as 2931
that other person in any such election; 2932

(4) Cast a ballot at any such election after objection has 2933
been made and sustained to that person's vote; 2934

(5) Knowingly vote or attempt to vote a ballot other than 2935
the official ballot. 2936

(B) Whoever violates division (A) of this section is 2937
guilty of a felony of the fourth degree. 2938

Section 2. That existing sections 3501.01, 3503.09, 2939
3503.10, 3503.11, 3503.14, 3503.15, 3503.151, 3503.152, 2940
3503.153, 3503.16, 3503.19, 3503.20, 3503.23, 3503.28, 3505.181, 2941
3509.02, 3509.04, 3509.07, 3509.08, 3513.041, 3513.05, 3513.07, 2942
3513.18, 3513.19, 3513.191, 3513.257, 3517.012, and 3599.12 of 2943
the Revised Code are hereby repealed. 2944

Section 3. That sections 3513.192, 3513.20, and 3517.013 2945
of the Revised Code are hereby repealed. 2946