

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 274

Senators Gavarone, Brenner

A BILL

To amend sections 111.26, 111.44, 3501.01, 3501.05, 1
3501.11, 3501.17, 3501.22, 3501.30, 3503.01, 2
3503.07, 3503.09, 3503.10, 3503.11, 3503.13, 3
3503.14, 3503.15, 3503.151, 3503.153, 3503.16, 4
3503.19, 3503.20, 3503.21, 3503.24, 3503.26, 5
3503.28, 3503.29, 3503.33, 3505.18, 3505.181, 6
3505.182, 3505.183, 3505.19, 3505.20, 3506.01, 7
3506.03, 3506.04, 3506.05, 3506.06, 3506.07, 8
3506.08, 3506.09, 3506.10, 3506.15, 3506.23, 9
3509.02, 3509.03, 3509.04, 3509.05, 3509.06, 10
3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 11
3511.05, 3511.09, 3511.11, 3513.18, 3513.19, 12
3599.12, and 4507.53; to amend, for the purpose 13
of adopting a new section number as indicated in 14
parentheses, section 3503.153 (3503.155); to 15
enact new sections 3503.152 and 3503.153 and 16
sections 3503.154, 3503.201, 3503.231, 3506.022, 17
3506.051, 3506.052, 3506.053, 3506.054, 18
3506.101, and 3506.141; and to repeal sections 19
3503.111, 3503.152, 3503.18, 3505.22, 3506.021, 20
3506.24, 3511.12, 3511.13, and 3513.20 of the 21
Revised Code to make changes to the Election Law 22
related to voter registration, voting, and the 23
certification of voting systems. 24

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

Section 1. That sections 111.26, 111.44, 3501.01, 3501.05, 25
3501.11, 3501.17, 3501.22, 3501.30, 3503.01, 3503.07, 3503.09, 26
3503.10, 3503.11, 3503.13, 3503.14, 3503.15, 3503.151, 3503.153, 27
3503.16, 3503.19, 3503.20, 3503.21, 3503.24, 3503.26, 3503.28, 28
3503.29, 3503.33, 3505.18, 3505.181, 3505.182, 3505.183, 29
3505.19, 3505.20, 3506.01, 3506.03, 3506.04, 3506.05, 3506.06, 30
3506.07, 3506.08, 3506.09, 3506.10, 3506.15, 3506.23, 3509.02, 31
3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 32
3511.02, 3511.04, 3511.05, 3511.09, 3511.11, 3513.18, 3513.19, 33
3599.12, and 4507.53 be amended; section 3503.153 (3503.155) be 34
amended for the purpose of adopting a new section number as 35
indicated in parentheses; and new sections 3503.152 and 3503.153 36
and sections 3503.154, 3503.201, 3503.231, 3506.022, 3506.051, 37
3506.052, 3506.053, 3506.054, 3506.101, and 3506.141 of the 38
Revised Code be enacted to read as follows: 39

Sec. 111.26. (A) It is hereby declared to be a public 40
purpose and function of the state to facilitate the conduct of 41
elections by assisting boards of elections in acquiring state 42
capital facilities consisting of voting machines, marking 43
devices, and automatic tabulating equipment certified for use in 44
this state under section 3506.05 of the Revised Code. Those 45
voting machines, marking devices, and automatic tabulating 46
equipment are designated as capital facilities under Chapter 47
154. of the Revised Code. The treasurer of state is authorized 48
to issue revenue obligations under section 154.24 of the Revised 49
Code to pay all or part of the cost of those state capital 50
facilities as are designated by law. 51

Boards of elections, due to their responsibilities related 52

to the proper conduct of elections under state law, are 53
designated as state agencies having jurisdiction over those 54
state capital facilities financed in part pursuant to this 55
section and Chapter 154. of the Revised Code. It is hereby 56
determined and declared that voting machines, marking devices, 57
and automatic tabulating equipment financed in part under this 58
section are for the purpose of housing agencies of state 59
government, their functions and equipment. 60

(B) A county shall contribute to the cost of capital 61
facilities authorized under this section as provided below. 62

(C) Any lease of capital facilities authorized by this 63
section, the rentals of which are payable in whole or in part 64
from appropriations made by the general assembly, is governed by 65
Chapter 154. of the Revised Code. Such rentals constitute 66
available receipts as defined in section 154.24 of the Revised 67
Code and may be pledged for the payment of bond service charges 68
as provided in Chapter 154. of the Revised Code. 69

(D) The county voting machine revolving lease/loan fund is 70
hereby created in the state treasury. The fund shall consist of 71
the net proceeds of obligations issued under Chapter 154. of the 72
Revised Code to finance a portion of those state capital 73
facilities described in division (A) of this section, as needed 74
to ensure sufficient moneys to support appropriations from the 75
fund. Lease payments from counties made for those capital 76
facilities financed in part from the fund and interest earnings 77
on the balance in the fund shall be credited to the fund. The 78
fund shall also receive any other authorized transfers of cash. 79
Moneys in the fund shall be used for the purpose of acquiring a 80
portion of additional capital facilities described in division 81
(A) of this section at the request of the applicable board of 82

elections. 83

Participation in the fund by a board of county 84
commissioners shall be voluntary. 85

The secretary of state shall administer the county voting 86
machine revolving lease/loan fund in accordance with this 87
section and shall enter into any lease or other agreement with 88
the department of administrative services, the Ohio public 89
facilities commission, or any board of elections necessary or 90
appropriate to accomplish the purposes of this section. 91

(E) Acquisitions made under this section shall provide not 92
more than fifty per cent of the estimated total cost of a board 93
of county commissioners' purchase of voting machines, marking 94
devices, and automatic tabulating equipment. 95

The secretary of state shall adopt rules for the 96
implementation of the acquisition and revolving lease/loan 97
program established under this section, which rules shall 98
require that the secretary of state approve any acquisition of 99
voting machines, marking devices, and automatic tabulating 100
equipment using money made available under this section. An 101
acquisition for any one board of county commissioners shall not 102
exceed five million dollars and shall be made only for voting 103
machines, marking devices, and automatic tabulating equipment 104
purchased on or after March 31, 2008. Any costs incurred on or 105
after January 1, 2008, may be considered as the county cost 106
percentage for the purpose of an acquisition made under this 107
section. 108

Counties shall lease from the secretary of state the 109
capital facilities financed in part from the county voting 110
machine revolving lease/loan fund and may enter into any 111

agreements required under the applicable bond proceedings. All 112
voting machines, marking devices, and automatic tabulating 113
equipment purchased through this fund shall remain the property 114
of the state until all payments under the applicable county 115
lease have been made at which time ownership shall transfer to 116
the county. Costs associated with the maintenance, repair, and 117
operation of the voting machines, marking devices, and automatic 118
tabulating equipment purchased under this section shall be the 119
responsibility of the participating boards of elections and 120
boards of county commissioners. 121

Such lease may obligate the counties, as using state 122
agencies under Chapter 154. of the Revised Code, to operate the 123
capital facilities for such period of time as may be specified 124
by law and to pay such rent as the secretary of state determines 125
to be appropriate. Notwithstanding any other provision of the 126
Revised Code to the contrary, any county may enter into such a 127
lease, and any such lease is legally sufficient to obligate the 128
county for the term stated in the lease. Any such lease 129
constitutes an agreement described in division (D) of section 130
154.06 of the Revised Code. 131

(F) As used in this section: 132

~~(1) "Automatic,~~ "automatic tabulating equipment," 133
"marking device," and "voting machine" have the same meanings as 134
in section 3506.01 of the Revised Code. 135

~~(2) "Equipment" has the same meaning as in section 3506.05~~ 136
~~of the Revised Code.~~ 137

Sec. 111.44. (A) A program participant who is eligible to 138
vote may apply to the board of elections of the county in which 139
the program participant resides to request that the program 140

participant's voter registration record be kept confidential. 141

The program participant shall submit an application to the 142
director of the board of elections, on a form prescribed by the 143
secretary of state, that includes all of the following: 144

(1) The information required under section 3503.14 of the 145
Revised Code to register to vote; 146

(2) The program participant's program participant 147
identification number; 148

(3) If the program participant is currently registered to 149
vote at another address, the address at which the program 150
participant is registered to vote and a statement that, if the 151
program participant is registered in another ~~county or~~ state, 152
the program participant authorizes the director to instruct the 153
appropriate authority to cancel the program participant's 154
existing voter registration; 155

(4) A statement that the program participant understands 156
all of the following: 157

(a) That during the time the program participant chooses 158
to have a confidential voter registration record, the program 159
participant may vote only by absent voter's ballots; 160

(b) That the program participant may provide the program 161
participant's program participant identification number instead 162
of the program participant's residence address on an application 163
for absent voter's ballots or on an absent voter's ballot 164
identification envelope statement of voter; 165

(c) That casting any ballot in person will reveal the 166
program participant's precinct and residence address to precinct 167
election officials and employees of the board of elections and 168
may reveal the program participant's precinct or residence 169

address to members of the public; 170

(d) That if the program participant signs an election 171
petition, the program participant's residence address will be 172
made available to the public. 173

(B) (1) A program participant who is not currently 174
registered to vote in this state must submit an application 175
under this section not later than the thirtieth day before the 176
day of an election in order to be eligible to vote in that 177
election, as provided in sections 3503.01 and 3503.19 of the 178
Revised Code. 179

(2) A program participant who is currently registered to 180
vote in this state may submit an application under this section 181
at any time to request that the program participant's voter 182
registration record be kept confidential. 183

(C) ~~Upon the receipt by the director of the board of~~ 184
~~elections of a valid~~ receiving an application under division (A) 185
of this section, the director or the deputy director of the 186
board of elections shall treat the application as the program 187
participant's voter registration form and process it in 188
accordance with section 3503.201 of the Revised Code, except 189
that the director or deputy director shall do all of the 190
following shall apply: 191

(1) ~~The director or the deputy director shall contact~~ 192
Contact the secretary of state to confirm that the program 193
participant identification number provided on the application 194
matches the number the secretary of state issued to the program 195
participant. 196

(2) ~~The application shall be treated as the program~~ 197
~~participant's voter registration form. The~~ Store the form shall 198

~~be stored~~ in a secure manner, such that only the members of the 199
board of elections, the director, and the deputy director have 200
access to the form and to the residence address contained in the 201
form;~~;~~ 202

(3) ~~The director or the deputy director shall record~~ 203
Record the program participant's program participant 204
identification number in the statewide voter registration 205
database and the official registration list instead of the 206
program participant's residence address and precinct;~~;~~ 207

(4) If the program participant is currently registered to 208
vote in the county, ~~the director or the deputy director shall do~~ 209
all of the following: 210

(a) Remove the residence address and precinct information 211
from the program participant's voter registration record, the 212
statewide voter registration database, and the official 213
registration list; 214

(b) Remove the program participant's name and registration 215
information from any pollbook, ~~poll list, or signature pollbook~~ 216
in which it appears and from any publicly available registration 217
list in which it appears. 218

(5) If the program participant is currently registered to 219
vote in another county, the director or the deputy director 220
shall notify the board of elections of the county in which the 221
program participant is registered ~~to cancel the program~~ 222
~~participant's registration~~ of the update. 223

~~(6) If the program participant is currently registered to~~ 224
~~vote in another state, the director or the deputy director shall~~ 225
~~notify the appropriate authority in that state to cancel the~~ 226
~~program participant's registration.~~ 227

~~(7) The director or the deputy director shall promptly~~ 228
~~send an acknowledgment notice to the program participant on a~~ 229
~~form prescribed by the secretary of state.~~ 230

(D) (1) (a) The residence address or precinct of a program 231
participant who has a confidential voter registration record, as 232
described in this section, shall not appear in the statewide 233
voter registration database or in the official registration 234
list. The program participant's program participant 235
identification number shall appear in place of that information. 236

(b) No information concerning the program participant, 237
including the program participant's name, shall be included in 238
any pollbook, ~~poll list, or signature pollbook.~~ 239

(c) No information concerning the program participant, 240
including the program participant's name, shall be included in 241
the version of the statewide voter registration database that is 242
available to the public or in any version of an official 243
registration list that is available to the public. 244

(2) Notwithstanding any contrary provision of the Revised 245
Code, a program participant who has a confidential voter 246
registration record may vote only by casting absent voter's 247
ballots. 248

(3) Not later than the forty-fifth day before the day of 249
an election, the secretary of state shall mail a notice to each 250
program participant who has a confidential voter registration 251
record. The notice shall inform the program participant of all 252
of the following: 253

(a) That if the program participant wishes to vote in the 254
election, the program participant should cast absent voter's 255
ballots by mail; 256

(b) The procedure for the program participant to cast
absent voter's ballots; 257
258

(c) That casting any ballot in person will reveal the 259
program participant's precinct and residence address to precinct 260
election officials and employees of the board of elections and 261
may reveal the program participant's precinct or residence 262
address to members of the public. 263

~~(E)(1)~~ (E) A program participant who has a confidential 264
voter registration record and who has had a change of name or 265
change of address may submit an application under division (A) 266
of this section that includes the program participant's updated 267
information. The director or the deputy director shall treat 268
that application as a ~~notice of change of name or change of~~ 269
~~address~~ voter registration update form and process it in 270
accordance with division (C) of this section. 271

~~(2) If the program participant currently resides in that~~ 272
~~county, the director or the deputy director shall replace the~~ 273
~~program participant's existing registration form with the new~~ 274
~~registration form.~~ 275

~~(3) If the program participant currently resides in~~ 276
~~another county in this state, the director or the deputy~~ 277
~~director shall cancel the program participant's existing~~ 278
~~registration form and shall transmit the program participant's~~ 279
~~new registration form to the director of the board of elections~~ 280
~~of the county in which the elector currently resides, and the~~ 281
~~new registration form shall be processed in accordance with~~ 282
~~division (C) of this section.~~ 283

(F) A person who has a confidential voter registration 284
record and who ceases being a program participant or who wishes 285

to cease having a confidential voter registration record shall 286
submit an application, on a form prescribed by the secretary of 287
state, that includes all of the following: 288

(1) The information required under section 3503.14 of the 289
Revised Code to register to vote; 290

(2) The person's program participant identification 291
number; 292

(3) A statement that the person has ceased being a program 293
participant or that the person wishes to cease having a 294
confidential voter registration record; 295

(4) A statement that the director should do one of the 296
following: 297

(a) Treat the person's existing voter registration form in 298
the same manner as other voter registration forms; 299

(b) Cancel the person's voter registration. 300

(G) (1) Upon receiving a valid application under division 301
(F) of this section from a person who wishes the board of 302
elections to treat the person's existing voter registration form 303
in the same manner as other voter registration forms, or upon 304
receiving a notice from the secretary of state under division 305
(B) of section 111.45 of the Revised Code concerning a person 306
who has a confidential voter registration record, the director 307
or the deputy director shall do all of the following: 308

(a) Store the person's voter registration form in the same 309
manner as other voter registration forms; 310

(b) Remove the person's program participant identification 311
number from the person's registration form and from the 312
statewide voter registration database; 313

(c) Ensure that the statewide voter registration database, the board's voter registration system, and any ~~poll list,~~ pollbook, or registration list accurately reflect the person's current name and registration information.

(2) Notwithstanding any contrary provision of section 3503.01 of the Revised Code, if the director receives an application or notice described in division (G) (1) of this section concerning an elector less than thirty days before the day of an election, the elector shall be eligible to vote in that election.

(H) Upon receiving a valid application under division (F) of this section from a person who wishes to have the person's voter registration canceled, the director or the deputy director shall cancel the person's voter registration.

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

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

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

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

(D) "Special election" means any election other than those elections defined in other divisions of this section. A special election may be held only on the first Tuesday after the first Monday in May or November, on the first Tuesday after the first Monday in August in accordance with section 3501.022 of the

Revised Code, or on the day authorized by a particular municipal 343
or county charter for the holding of a primary election, except 344
that in any year in which a presidential primary election is 345
held, no special election shall be held in May, except as 346
authorized by a municipal or county charter, but may be held on 347
the third Tuesday after the first Monday in March. 348

(E) (1) "Primary" or "primary election" means an election 349
held for the purpose of nominating persons as candidates of 350
political parties for election to offices, and for the purpose 351
of electing persons as members of the controlling committees of 352
political parties and as delegates and alternates to the 353
conventions of political parties. Primary elections shall be 354
held on the first Tuesday after the first Monday in May of each 355
year except in years in which a presidential primary election is 356
held. 357

(2) "Presidential primary election" means a primary 358
election as defined by division (E) (1) of this section at which 359
an election is held for the purpose of choosing delegates and 360
alternates to the national conventions of the major political 361
parties pursuant to section 3513.12 of the Revised Code. Unless 362
otherwise specified, presidential primary elections are included 363
in references to primary elections. In years in which a 364
presidential primary election is held, all primary elections 365
shall be held on the third Tuesday after the first Monday in 366
March except as otherwise authorized by a municipal or county 367
charter. 368

(F) "Political party" means any group of voters meeting 369
the requirements set forth in section 3517.01 of the Revised 370
Code for the formation and existence of a political party. 371

(1) "Major political party" means any political party 372

organized under the laws of this state whose candidate for 373
governor or nominees for presidential electors received not less 374
than twenty per cent of the total vote cast for such office at 375
the most recent regular state election. 376

(2) "Minor political party" means any political party 377
organized under the laws of this state that meets either of the 378
following requirements: 379

(a) Except as otherwise provided in this division, the 380
political party's candidate for governor or nominees for 381
presidential electors received less than twenty per cent but not 382
less than three per cent of the total vote cast for such office 383
at the most recent regular state election. A political party 384
that meets the requirements of this division remains a political 385
party for a period of four years after meeting those 386
requirements. 387

(b) The political party has filed with the secretary of 388
state, subsequent to its failure to meet the requirements of 389
division (F) (2) (a) of this section, a petition that meets the 390
requirements of section 3517.01 of the Revised Code. 391

A newly formed political party shall be known as a minor 392
political party until the time of the first election for 393
governor or president which occurs not less than twelve months 394
subsequent to the formation of such party, after which election 395
the status of such party shall be determined by the vote for the 396
office of governor or president. 397

(G) "Dominant party in a precinct" or "dominant political 398
party in a precinct" means that political party whose candidate 399
for election to the office of governor at the most recent 400
regular state election at which a governor was elected received 401

more votes than any other person received for election to that 402
office in such precinct at such election. 403

(H) "Candidate" means any qualified person certified in 404
accordance with the provisions of the Revised Code for placement 405
on the official ballot of a primary, general, or special 406
election to be held in this state, or any qualified person who 407
claims to be a write-in candidate, or who knowingly assents to 408
being represented as a write-in candidate by another at either a 409
primary, general, or special election to be held in this state. 410

(I) "Independent candidate" means any candidate who claims 411
not to be affiliated with a political party, and whose name has 412
been certified on the office-type ballot at a general or special 413
election through the filing of a statement of candidacy and 414
nominating petition, as prescribed in section 3513.257 of the 415
Revised Code. 416

(J) "Nonpartisan candidate" means any candidate whose name 417
is required, pursuant to section 3505.04 of the Revised Code, to 418
be listed on the nonpartisan ballot, including all candidates 419
for judge of a municipal court, county court, or court of common 420
pleas, for member of any board of education, for municipal or 421
township offices in which primary elections are not held for 422
nominating candidates by political parties, and for offices of 423
municipal corporations having charters that provide for separate 424
ballots for elections for these offices. 425

(K) "Party candidate" means any candidate who claims to be 426
a member of a political party and who has been certified to 427
appear on the office-type ballot at a general or special 428
election as the nominee of a political party because the 429
candidate has won the primary election of the candidate's party 430
for the public office the candidate seeks, has been nominated 431

under section 3517.012, or is selected by party committee in 432
accordance with section 3513.31 of the Revised Code. 433

(L) "Officer of a political party" includes, but is not 434
limited to, any member, elected or appointed, of a controlling 435
committee, whether representing the territory of the state, a 436
district therein, a county, township, a city, a ward, a 437
precinct, or other territory, of a major or minor political 438
party. 439

(M) "Question or issue" means any question or issue 440
certified in accordance with the Revised Code for placement on 441
an official ballot at a general or special election to be held 442
in this state. 443

(N) "Elector" or "qualified elector" means a person having 444
the qualifications provided by law to be entitled to vote. 445

(O) "Voter" means an elector who votes at an election. 446

(P) "Voting residence" means that place of residence of an 447
elector which shall determine the precinct in which the elector 448
may vote. 449

(Q) "Precinct" means a district within a county 450
established by the board of elections of such county within 451
which all qualified electors having a voting residence therein 452
may vote at the same polling place. 453

(R) "Polling place" means that place provided for each 454
precinct at which the electors having a voting residence in such 455
precinct may vote. 456

(S) "Board" or "board of elections" means the board of 457
elections appointed in a county pursuant to section 3501.06 of 458
the Revised Code. 459

(T) "Political subdivision" means a county, township,	460
city, village, or school district.	461
(U) "Election officer" or "election official" means any of	462
the following:	463
(1) Secretary of state;	464
(2) Employees of the secretary of state serving the	465
division of elections in the capacity of attorney,	466
administrative officer, administrative assistant, elections	467
administrator, office manager, or clerical supervisor;	468
(3) Director of a board of elections;	469
(4) Deputy director of a board of elections;	470
(5) Member of a board of elections;	471
(6) Employees of a board of elections;	472
(7) Precinct election officials;	473
(8) Employees appointed by the boards of elections on a	474
temporary or part-time basis.	475
(V) "Acknowledgment notice" means a notice sent by a board	476
of elections, on a form prescribed by the secretary of state,	477
informing a voter registration applicant or an applicant who	478
wishes to change the applicant's residence or name of the status	479
of the application; the information necessary to complete or	480
update the application, if any; and if the application is	481
complete, the precinct in which the applicant is to vote.	482
(W) "Confirmation notice" means a notice sent by a board	483
of elections, on a form prescribed by the secretary of state, to	484
a registered elector to confirm the registered elector's current	485
<u>address, name, or other information required for registration.</u>	486

The notice shall be sent by forwardable mail, shall be 487
accompanied by a postage prepaid, preaddressed return envelope 488
containing a form on which the elector may verify or correct the 489
elector's registration, and shall meet the requirements of the 490
National Voter Registration Act of 1993. 491

(X) "Designated agency" means an office or agency in the 492
state that provides public assistance or that provides state- 493
funded programs primarily engaged in providing services to 494
persons with disabilities and that is required by the National 495
Voter Registration Act of 1993 to implement a program designed 496
and administered by the secretary of state for registering 497
voters, or any other public or government office or agency that 498
implements a program designed and administered by the secretary 499
of state for registering voters, including the department of job 500
and family services, the program administered under section 501
3701.132 of the Revised Code by the department of health, the 502
department of mental health and addiction services, the 503
department of developmental disabilities, the opportunities for 504
Ohioans with disabilities agency, and any other agency the 505
secretary of state designates. "Designated agency" does not 506
include public high schools and vocational schools, public 507
libraries, or the office of a county treasurer. 508

(Y) "National Voter Registration Act of 1993" means the 509
"National Voter Registration Act of 1993," 107 Stat. 77, 42 510
U.S.C.A. 1973gg. 511

(Z) "Voting Rights Act of 1965" means the "Voting Rights 512
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 513

(AA) (1) "Photo identification" means one of the following 514
documents that includes the individual's name and photograph and 515
is not expired: 516

(a) An Ohio driver's license, state identification card, 517
or interim identification form issued by the registrar of motor 518
vehicles or a deputy registrar under Chapter 4506. or 4507. of 519
the Revised Code; 520

(b) A United States passport or passport card; 521

(c) A United States military identification card, Ohio 522
national guard identification card, or United States department 523
of veterans affairs identification card. 524

(2) A "copy" of an individual's photo identification means 525
legible images of both the front and back of a document 526
described in division (AA) (1) of this section, except that if 527
the document is a United States passport, a copy of the photo 528
identification means ~~an~~ a legible image of the passport's 529
identification page that includes the individual's name, 530
photograph, and other identifying information and the passport's 531
expiration date. 532

(BB) "Driver's license" means a license or permit issued 533
by the registrar or a deputy registrar under Chapter 4506. or 534
4507. of the Revised Code that authorizes an individual to 535
drive. "Driver's license" includes a driver's license, 536
commercial driver's license, probationary license, restricted 537
license, motorcycle operator's license, or temporary instruction 538
permit identification card. "Driver's license" does not include 539
a limited term license issued under section 4507.09 of the 540
Revised Code. 541

(CC) "State identification card" means a card issued by 542
the registrar or a deputy registrar under sections 4507.50 to 543
4507.52 of the Revised Code. 544

(DD) "Interim identification form" means the document 545

issued by the registrar or a deputy registrar to an applicant 546
for a driver's license or state identification card that 547
contains all of the information otherwise found on the license 548
or card and that an applicant may use as a form of 549
identification until the physical license or card arrives in the 550
mail. 551

(EE) "Voter registration agency" means all of the 552
following: 553

(1) The secretary of state or a board of elections; 554

(2) The registrar of motor vehicles or a deputy registrar; 555

(3) A designated agency; 556

(4) A public high school or vocational school; 557

(5) A public library; 558

(6) The office of a county treasurer; 559

(7) A probate court or court of common pleas. 560

(FF) "Pollbook," "poll book," "poll list," and "signature 561
pollbook" mean a pollbook described in section 3503.231 of the 562
Revised Code. 563

Sec. 3501.05. The secretary of state shall do all of the 564
following: 565

(A) Appoint all members of boards of elections; 566

(B) Issue instructions by directives and advisories in 567
accordance with section 3501.053 of the Revised Code to members 568
of the boards as to the proper methods of conducting elections. 569

(C) Prepare rules and instructions for the conduct of 570
elections; 571

(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	572 573 574
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	575 576
(F) Prescribe the form of registration cards, blanks, and records;	577 578
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	579 580 581 582
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	583 584 585
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	586 587 588 589 590
(J) Except as otherwise provided in division (I) (2) (b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	591 592 593 594 595
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	596 597 598
(L) Require such reports from the several boards as are	599

provided by law, or as the secretary of state considers 600
necessary; 601

(M) Compel the observance by election officers in the 602
several counties of the requirements of the election laws; 603

(N) (1) Except as otherwise provided in division (N) (2) of 604
this section, investigate the administration of election laws, 605
frauds, and irregularities in elections in any county, and 606
report violations of election laws to the attorney general or 607
prosecuting attorney, or both, for prosecution; 608

(2) On and after August 24, 1995, report a failure to 609
comply with or a violation of a provision in sections 3517.08 to 610
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 611
Code, whenever the secretary of state has or should have 612
knowledge of a failure to comply with or a violation of a 613
provision in one of those sections, by filing a complaint with 614
the Ohio elections commission under section 3517.153 of the 615
Revised Code. 616

(O) Make an annual report to the governor containing the 617
results of elections, the cost of elections in the various 618
counties, a tabulation of the votes in the several political 619
subdivisions, and other information and recommendations relative 620
to elections the secretary of state considers desirable; 621

(P) Prescribe and distribute to boards of elections a list 622
of instructions indicating all legal steps necessary to petition 623
successfully for local option elections under sections 4301.32 624
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 625

(Q) Adopt rules pursuant to Chapter 119. of the Revised 626
Code for the removal by boards of elections of ineligible ~~voters~~ 627
persons from the statewide voter registration database and, ~~if~~ 628

~~applicable, from the poll list or signature pollbook used in~~ 629
~~each precinct, which rules shall provide for all of the~~ 630
~~following:~~ 631

~~(1) A process for the removal of voters who have changed~~ 632
~~residence, which shall be uniform, nondiscriminatory, and in~~ 633
~~compliance with the Voting Rights Act of 1965 and the National~~ 634
~~Voter Registration Act of 1993, including a program that uses~~ 635
~~the national change of address service provided by the United~~ 636
~~States postal system through its licensees;~~ 637

~~(2) A process for the removal of ineligible voters under~~ 638
~~section 3503.21 of the Revised Code;~~ 639

~~(3) A uniform system for marking or removing the name of a~~ 640
~~voter who is ineligible to vote from the statewide voter~~ 641
~~registration database and, if applicable, from the poll list or~~ 642
~~signature pollbook used in each precinct and noting the reason~~ 643
~~for that mark or removal from the boards' voter registration~~ 644
~~records in accordance with sections 3503.15 to 3503.153,~~ 645
~~3503.201, and 3503.21 of the Revised Code.~~ 646

(R) Prescribe a general program for confirming the 647
identities of eligible electors prior to registration and 648
registering voters~~eligible electors~~, as defined in the Ohio 649
Constitution and under this title, or updating voter 650
registration information, such as name and residence changes, 651
submitted by boards of elections, designated voter registration 652
agencies, offices of deputy registrars of motor vehicles, public 653
high schools and vocational schools, public libraries, and 654
~~offices of county treasurers~~ consistent with the requirements of 655
section 3503.09 of the Revised Code; 656

(S) Prescribe a program of distribution of voter 657

registration forms to potential applicants through ~~boards of~~ 658
~~elections, designated voter registration agencies, offices of~~ 659
~~the registrar and deputy registrars of motor vehicles, public~~ 660
~~high schools and vocational schools, public libraries, and~~ 661
~~offices of county treasurers;~~ 662

(T) To the extent feasible, provide copies, at no cost and 663
upon request, of the voter registration form in post offices in 664
this state; . Wherever voter registration forms are present, the 665
information sheet described in division (E) (2) of section 666
3503.10 of the Revised Code shall also be provided and placed 667
immediately to the left of voter registration forms. 668

(U) Adopt rules pursuant to section 111.15 of the Revised 669
Code for the purpose of implementing the program for registering 670
~~voters potential applicants through boards of elections,~~ 671
~~designated voter registration agencies, and the offices of the~~ 672
~~registrar and deputy registrars of motor vehicles~~ consistent 673
with this chapter; 674

(V) Establish the full-time position of Americans with 675
Disabilities Act coordinator within the office of the secretary 676
of state to do all of the following: 677

(1) Assist the secretary of state with ensuring that there 678
is equal access to polling places for persons with disabilities; 679

(2) Assist the secretary of state with ensuring that each 680
voter may cast the voter's ballot in a manner that provides the 681
same opportunity for access and participation, including privacy 682
and independence, as for other voters; 683

(3) Advise the secretary of state in the development of 684
standards for the certification of voting machines, marking 685
devices, and automatic tabulating equipment. 686

(W) Establish and maintain a computerized statewide 687
database of all legally registered voters under section 3503.15 688
of the Revised Code that complies with the requirements of the 689
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 690
1666, and provide training in the operation of that system; 691

(X) Ensure that all directives, advisories, other 692
instructions, or decisions issued or made during or as a result 693
of any conference or teleconference call with a board of 694
elections to discuss the proper methods and procedures for 695
conducting elections, to answer questions regarding elections, 696
or to discuss the interpretation of directives, advisories, or 697
other instructions issued by the secretary of state are posted 698
on a web site of the office of the secretary of state as soon as 699
is practicable after the completion of the conference or 700
teleconference call, but not later than the close of business on 701
the same day as the conference or teleconference call takes 702
place. 703

(Y) Publish a report on a web site of the office of the 704
secretary of state not later than one month after the completion 705
of the canvass of the election returns for each primary and 706
general election, identifying, by county, the number of absent 707
voter's ballots cast and the number of those ballots that were 708
counted, and the number of provisional ballots cast and the 709
number of those ballots that were counted, for that election. 710
The secretary of state shall maintain the information on the web 711
site in an archive format for each subsequent election. 712

(Z) Conduct voter education outlining voter 713
identification, absent voters ballot, provisional ballot, and 714
other voting requirements; 715

(AA) Establish a procedure by which a registered elector 716

may make available to a board of elections a more recent 717
signature to be used in the ~~poll list or signature~~ pollbook 718
produced by the board of elections of the county in which the 719
elector resides; 720

(BB) Disseminate information, which may include all or 721
part of the official explanations and arguments, by means of 722
direct mail or other written publication, broadcast, or other 723
means or combination of means, as directed by the Ohio ballot 724
board under division (F) of section 3505.062 of the Revised 725
Code, in order to inform the voters as fully as possible 726
concerning each proposed constitutional amendment, proposed law, 727
or referendum; 728

(CC) Be the single state office responsible for the 729
implementation of the "Uniformed and Overseas Citizens Absentee 730
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 731
1973ff, et seq., as amended, in this state. The secretary of 732
state may delegate to the boards of elections responsibilities 733
for the implementation of that act, including responsibilities 734
arising from amendments to that act made by the "Military and 735
Overseas Voter Empowerment Act," Subtitle H of the "National 736
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 737
111-84, 123 Stat. 3190. 738

(DD) Adopt rules, under Chapter 119. of the Revised Code, 739
to establish procedures and standards for determining when a 740
board of elections shall be placed under the official oversight 741
of the secretary of state, placing a board of elections under 742
the official oversight of the secretary of state, a board that 743
is under official oversight to transition out of official 744
oversight, and the secretary of state to supervise a board of 745
elections that is under official oversight of the secretary of 746

state. 747

(EE) Perform other duties required by law. 748

Whenever a primary election is held under section 3513.32 749
of the Revised Code or a special election is held under section 750
3521.03 of the Revised Code to fill a vacancy in the office of 751
representative to congress, the secretary of state shall 752
establish a deadline, notwithstanding any other deadline 753
required under the Revised Code, by which any or all of the 754
following shall occur: the filing of a declaration of candidacy 755
and petitions or a statement of candidacy and nominating 756
petition together with the applicable filing fee; the filing of 757
protests against the candidacy of any person filing a 758
declaration of candidacy or nominating petition; the filing of a 759
declaration of intent to be a write-in candidate; the filing of 760
campaign finance reports; the preparation of, and the making of 761
corrections or challenges to, precinct voter registration lists; 762
the receipt of applications for absent voter's ballots or 763
uniformed services or overseas absent voter's ballots; the 764
supplying of election materials to precincts by boards of 765
elections; the holding of hearings by boards of elections to 766
consider challenges to the right of a person to appear on a 767
voter registration list; and the scheduling of programs to 768
instruct or reinstruct election officers. 769

In the performance of the secretary of state's duties as 770
the chief election officer, the secretary of state may 771
administer oaths, issue subpoenas, summon witnesses, compel the 772
production of books, papers, records, and other evidence, and 773
fix the time and place for hearing any matters relating to the 774
administration and enforcement of the election laws. 775

In any controversy involving or arising out of the 776

adoption of registration or the appropriation of funds for 777
registration, the secretary of state may, through the attorney 778
general, bring an action in the name of the state in the court 779
of common pleas of the county where the cause of action arose or 780
in an adjoining county, to adjudicate the question. 781

In any action involving the laws in Title XXXV of the 782
Revised Code wherein the interpretation of those laws is in 783
issue in such a manner that the result of the action will affect 784
the lawful duties of the secretary of state or of any board of 785
elections, the secretary of state may, on the secretary of 786
state's motion, be made a party. 787

The secretary of state may apply to any court that is 788
hearing a case in which the secretary of state is a party, for a 789
change of venue as a substantive right, and the change of venue 790
shall be allowed, and the case removed to the court of common 791
pleas of an adjoining county named in the application or, if 792
there are cases pending in more than one jurisdiction that 793
involve the same or similar issues, the court of common pleas of 794
Franklin county. 795

Public high schools and vocational schools, public 796
libraries, and the office of a county treasurer shall implement 797
voter registration programs as directed by the secretary of 798
state pursuant to this section. 799

Sec. 3501.11. Each board of elections shall exercise by a 800
majority vote all powers granted to the board by Title XXXV of 801
the Revised Code, shall perform all the duties imposed by law, 802
and shall do all of the following: 803

(A) Establish, define, provide, rearrange, and combine 804
election precincts; 805

(B) Fix and provide the places for registration and for holding primaries and elections;	806 807
(C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;	808 809 810 811
(D) Appoint and remove its director, deputy director, and employees and all registrars, precinct election officials, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;	812 813 814 815
(E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;	816 817 818 819
(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;	820 821
(G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code;	822 823 824 825
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	826 827
(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each board of a county that uses voting machines, marking devices, or automatic tabulating equipment shall conduct a full vote of the board during a public session of the board on the allocation and distribution of voting machines, marking	828 829 830 831 832 833 834

devices, and automatic tabulating equipment for each precinct in 835
the county. 836

(J) Investigate irregularities, nonperformance of duties, 837
or violations of Title XXXV of the Revised Code by election 838
officers and other persons; administer oaths, issue subpoenas, 839
summon witnesses, and compel the production of books, papers, 840
records, and other evidence in connection with any such 841
investigation; and report the facts to the prosecuting attorney 842
or the secretary of state; 843

(K) (1) Review, examine, and certify the sufficiency and 844
validity of petitions and nomination papers, and, after 845
certification, return to the secretary of state all petitions 846
and nomination papers that the secretary of state forwarded to 847
the board; 848

(2) Examine each initiative petition, or a petition filed 849
under section 307.94 or 307.95 of the Revised Code, received by 850
the board to determine whether the petition falls within the 851
scope of authority to enact via initiative and whether the 852
petition satisfies the statutory prerequisites to place the 853
issue on the ballot, as described in division (M) of section 854
3501.38 of the Revised Code. The petition shall be invalid if 855
any portion of the petition is not within the initiative power. 856

(L) Receive the returns of elections, canvass the returns, 857
make abstracts of them, and transmit those abstracts to the 858
proper authorities; 859

(M) Issue certificates of election on forms to be 860
prescribed by the secretary of state; 861

(N) Make an annual report to the secretary of state, on 862
the form prescribed by the secretary of state, containing a 863

statement of the number of voters registered, elections held, 864
votes cast, appropriations received, expenditures made, and 865
other data required by the secretary of state; 866

(O) Prepare and submit to the proper appropriating officer 867
a budget estimating the cost of elections for the ensuing fiscal 868
year; 869

(P) Perform other duties as prescribed by law or the 870
rules, directives, or advisories of the secretary of state; 871

(Q) Investigate and determine the residence qualifications 872
of electors; 873

(R) Administer oaths in matters pertaining to the 874
administration of the election laws; 875

(S) Prepare and submit to the secretary of state, whenever 876
the secretary of state requires, a report containing the names 877
and residence addresses of all incumbent county, municipal, 878
township, and board of education officials serving in their 879
respective counties; 880

(T) Establish and maintain a voter registration database 881
of all qualified electors in the county who offer to register; 882

(U) Maintain voter registration records, make reports 883
concerning voter registration as required by the secretary of 884
state, and remove ineligible electors from voter registration 885
lists in accordance with law and directives of the secretary of 886
state; 887

(V) Give approval to ballot language for any local 888
question or issue and transmit the language to the secretary of 889
state for the secretary of state's final approval; 890

(W) Prepare and cause the following notice to be displayed 891

in a prominent location in every polling place: 892

"NOTICE 893

Ohio law prohibits any person from voting or attempting to 894
vote more than once at the same election. 895

Violators are guilty of a felony of the fourth degree and 896
shall be imprisoned and additionally may be fined in accordance 897
with law." 898

(X) In all cases of a tie vote or a disagreement in the 899
board, if no decision can be arrived at, the director or 900
chairperson shall submit the matter in controversy, not later 901
than fourteen days after the tie vote or the disagreement, to 902
the secretary of state, who shall summarily decide the question, 903
and the secretary of state's decision shall be final. 904

(Y) Assist each ~~designated voter registration agency,~~ 905
~~deputy registrar of motor vehicles, public high school and~~ 906
~~vocational school, public library, and office of a county~~ 907
~~treasurer~~ in the implementation of a program for registering 908
voters at all voter registration locations as prescribed by the 909
secretary of state. Under this program, each board of elections 910
shall direct to the appropriate board of elections any voter 911
registration applications for persons residing outside the 912
county where the board is located within five days after 913
receiving the applications. 914

(Z) On any day on which an elector may vote in person at 915
the office of the board or at another site designated by the 916
board, consider the board or other designated site a polling 917
place for that day. All requirements or prohibitions of law that 918
apply to a polling place shall apply to the office of the board 919
or other designated site on that day. 920

(AA) Perform any duties with respect to voter registration	921
and voting by uniformed services and overseas voters that are	922
delegated to the board by law or by the rules, directives, or	923
advisories of the secretary of state.	924
(BB) Prepare an election administration plan and submit it	925
to the secretary of state not later than seventy-five days	926
before each presidential primary election and not later than one	927
hundred twenty days before each general election held in an	928
even-numbered year. The election administration plan shall be on	929
a template prescribed by the secretary of state and shall	930
include all of the following:	931
(1) Precinct election official recruitment, training, and	932
accountability;	933
(2) Resource allocation;	934
(3) Communication before and on the day of the election;	935
(4) Materials;	936
(5) Contingencies and continuity planning;	937
(6) Security;	938
(7) Voter registration;	939
(8) Absent voting;	940
(9) Polling places and accessibility;	941
(10) Ballot preparation;	942
(11) Pre-election testing;	943
(12) Reconciliation and audits;	944
(13) A master calendar;	945

(14) Any other topic prescribed by the secretary of state. 946

Sec. 3501.17. (A) The expenses of the board of elections 947
shall be paid from the county treasury, in pursuance of 948
appropriations by the board of county commissioners, in the same 949
manner as other county expenses are paid. If the board of county 950
commissioners fails to appropriate an amount sufficient to 951
provide for the necessary and proper expenses of the board of 952
elections pertaining to the conduct of elections, the board of 953
elections may apply to the court of common pleas within the 954
county, which shall fix the amount necessary to be appropriated 955
and the amount shall be appropriated. Payments shall be made 956
upon vouchers of the board of elections certified to by its 957
chairperson or acting chairperson and the director or deputy 958
director, upon warrants of the county auditor. 959

The board of elections shall not incur any obligation 960
involving the expenditure of money unless there are moneys 961
sufficient in the funds appropriated therefor to meet the 962
obligation. If the board of elections requests a transfer of 963
funds from one of its appropriation items to another, the board 964
of county commissioners shall adopt a resolution providing for 965
the transfer except as otherwise provided in section 5705.40 of 966
the Revised Code. The expenses of the board of elections shall 967
be apportioned among the county and the various subdivisions as 968
provided in this section, and the amount chargeable to each 969
subdivision shall be paid as provided in division (J) of this 970
section or withheld by the county auditor from the moneys 971
payable thereto at the time of the next tax settlement. At the 972
time of submitting budget estimates in each year, the board of 973
elections shall submit to the taxing authority of each 974
subdivision, upon the request of the subdivision, an estimate of 975
the amount to be paid or withheld from the subdivision during 976

the current or next fiscal year. 977

A board of township trustees may, by resolution, request 978
that the county auditor withhold expenses charged to the 979
township from a specified township fund that is to be credited 980
with revenue at a tax settlement. The resolution shall specify 981
the tax levy ballot issue, the date of the election on the levy 982
issue, and the township fund from which the expenses the board 983
of elections incurs related to that ballot issue shall be 984
withheld. 985

(B) Except as otherwise provided in division (F) of this 986
section, the compensation of the members of the board of 987
elections and of the director, deputy director, and regular 988
employees in the board's offices, other than compensation for 989
overtime worked; the expenditures for the rental, furnishing, 990
and equipping of the office of the board and for the necessary 991
office supplies for the use of the board; the expenditures for 992
the acquisition, repair, care, and custody of the polling 993
places, booths, guardrails, and other equipment for polling 994
places; the cost of tally sheets, maps, flags, ballot boxes, and 995
all other permanent records and equipment; the cost of all 996
elections held in and for the state and county; and all other 997
expenses of the board which are not chargeable to a political 998
subdivision in accordance with this section shall be paid in the 999
same manner as other county expenses are paid. 1000

(C) The compensation of precinct election officials and 1001
intermittent employees in the board's offices; the cost of 1002
renting, moving, heating, and lighting polling places and of 1003
placing and removing ballot boxes and other fixtures and 1004
equipment thereof, including voting machines, marking devices, 1005
and automatic tabulating equipment; the cost of printing and 1006

delivering ballots, cards of instructions, registration lists 1007
required under section 3503.23 of the Revised Code, and other 1008
election supplies, including the supplies required to comply 1009
with division ~~(H)~~(M) of section 3506.01 of the Revised Code; 1010
the cost of contractors engaged by the board to prepare, 1011
program, test, and operate voting machines, marking devices, and 1012
automatic tabulating equipment; and all other expenses of 1013
conducting primaries and elections in the odd-numbered years 1014
shall be charged to the subdivisions in and for which such 1015
primaries or elections are held. The charge for each primary or 1016
general election in odd-numbered years for each subdivision 1017
shall be determined in the following manner: first, the total 1018
cost of all chargeable items used in conducting such elections 1019
shall be ascertained; second, the total charge shall be divided 1020
by the number of precincts participating in such election, in 1021
order to fix the cost per precinct; third, the cost per precinct 1022
shall be prorated by the board of elections to the subdivisions 1023
conducting elections for the nomination or election of offices 1024
in such precinct; fourth, the total cost for each subdivision 1025
shall be determined by adding the charges prorated to it in each 1026
precinct within the subdivision. 1027

(D) The entire cost of special elections held on a day 1028
other than the day of a primary or general election, both in 1029
odd-numbered or in even-numbered years, shall be charged to the 1030
subdivision. Where a special election is held on the same day as 1031
a primary or general election in an even-numbered year, the 1032
subdivision submitting the special election shall be charged 1033
only for the cost of ballots and advertising. Where a special 1034
election is held on the same day as a primary or general 1035
election in an odd-numbered year, the subdivision submitting the 1036
special election shall be charged for the cost of ballots and 1037

advertising for such special election, in addition to the 1038
charges prorated to such subdivision for the election or 1039
nomination of candidates in each precinct within the 1040
subdivision, as set forth in the preceding paragraph. 1041

(E) Where a special election is held on the day specified 1042
by division (E) of section 3501.01 of the Revised Code for the 1043
holding of a primary election, for the purpose of submitting to 1044
the voters of the state constitutional amendments proposed by 1045
the general assembly, and a subdivision conducts a special 1046
election on the same day, the entire cost of the special 1047
election shall be divided proportionally between the state and 1048
the subdivision based upon a ratio determined by the number of 1049
issues placed on the ballot by each, except as otherwise 1050
provided in division (G) of this section. Such proportional 1051
division of cost shall be made only to the extent funds are 1052
available for such purpose from amounts appropriated by the 1053
general assembly to the secretary of state. If a primary 1054
election is also being conducted in the subdivision, the costs 1055
shall be apportioned as otherwise provided in this section. 1056

(F) When a precinct is open during a general, primary, or 1057
special election solely for the purpose of submitting to the 1058
voters a statewide ballot issue, the state shall bear the entire 1059
cost of the election in that precinct and shall reimburse the 1060
county for all expenses incurred in opening the precinct. 1061

(G) (1) The state shall bear the entire cost of advertising 1062
in newspapers statewide ballot issues, explanations of those 1063
issues, and arguments for or against those issues, as required 1064
by Section 1g of Article II and Section 1 of Article XVI, Ohio 1065
Constitution, and any other section of law. Appropriations made 1066
to the controlling board shall be used to reimburse the 1067

secretary of state for all expenses the secretary of state 1068
incurs for such advertising under division (G) of section 1069
3505.062 of the Revised Code. 1070

(2) There is hereby created in the state treasury the 1071
statewide ballot advertising fund. The fund shall receive 1072
transfers approved by the controlling board, and shall be used 1073
by the secretary of state to pay the costs of advertising state 1074
ballot issues as required under division (G)(1) of this section. 1075
Any such transfers may be requested from and approved by the 1076
controlling board prior to placing the advertising, in order to 1077
facilitate timely provision of the required advertising. 1078

(H) The cost of renting, heating, and lighting 1079
registration places; the cost of the necessary books, forms, and 1080
supplies for the conduct of registration; and the cost of 1081
printing and posting precinct registration lists shall be 1082
charged to the subdivision in which such registration is held. 1083

(I) (1) (a) At the request of a majority of the members of 1084
the board of elections, the board of county commissioners may, 1085
by resolution, establish an elections revenue fund. Except as 1086
otherwise provided in this division and in division (I) (2) of 1087
this section, the purpose of the fund shall be to accumulate 1088
revenue withheld by or paid to the county under this section for 1089
the payment of any expense related to the duties of the board of 1090
elections specified in section 3501.11 of the Revised Code, upon 1091
approval of a majority of the members of the board of elections. 1092
The fund shall not accumulate any revenue withheld by or paid to 1093
the county under this section for the compensation of the 1094
members of the board of elections or of the director, deputy 1095
director, or other regular employees in the board's offices, 1096
other than compensation for overtime worked. 1097

(b) Notwithstanding sections 5705.14, 5705.15, and 5705.16 1098
of the Revised Code, the board of county commissioners may, by 1099
resolution, transfer money to the elections revenue fund from 1100
any other fund of the political subdivision from which such 1101
payments lawfully may be made. Following an affirmative vote of 1102
a majority of the members of the board of elections, the board 1103
of county commissioners may, by resolution, rescind an elections 1104
revenue fund established under this division. If an elections 1105
revenue fund is rescinded, money that has accumulated in the 1106
fund shall be transferred to the county general fund. 1107

(2) (a) The board of county commissioners of a county that 1108
receives a payment from a political subdivision under division 1109
(J) of this section shall, by resolution, establish a special 1110
elections fund. The purpose of the fund shall be to accumulate 1111
revenue paid to the county by political subdivisions under 1112
division (J) of this section for the cost of preparing for and 1113
conducting special elections. 1114

(b) If both of the following apply, the board of county 1115
commissioners may, by resolution, rescind the special elections 1116
fund and transfer any remaining money in the fund to the county 1117
general fund or to the elections revenue fund: 1118

(i) All notifications and payments required under division 1119
(J) (3) of this section have been made. 1120

(ii) The county has not received any payments from 1121
political subdivisions under division (J) (2) of this section for 1122
a future special election. 1123

(J) (1) Not less than fifteen business days before the 1124
deadline for submitting a question or issue for placement on the 1125
ballot at a special election, the board of elections shall 1126

prepare and file with the board of county commissioners and the 1127
office of the secretary of state the estimated cost, based on 1128
the factors enumerated in this section, for preparing for and 1129
conducting an election on one question or issue, one nomination 1130
for office, or one election to office in each precinct in the 1131
county at that special election and shall divide that cost by 1132
the number of registered voters in the county. 1133

(2) The board of elections shall provide to a political 1134
subdivision seeking to submit a question or issue, a nomination 1135
for office, or an election to office for placement on the ballot 1136
at a special election with the estimated cost for preparing for 1137
and conducting that election, which shall be calculated either 1138
by multiplying the number of registered voters in the political 1139
subdivision with the cost calculated under division (J) (1) of 1140
this section or by multiplying the cost per precinct with the 1141
number or precincts in the political subdivision. A political 1142
subdivision submitting a question or issue, a nomination for 1143
office, or an election to office for placement on the ballot at 1144
that special election shall pay to the county special elections 1145
fund sixty-five per cent of the estimated cost of the election 1146
not less than ten business days after the deadline for 1147
submitting a question or issue for placement on the ballot for 1148
that special election. 1149

(3) Not later than sixty days after the date of a special 1150
election, the board of elections shall provide to each political 1151
subdivision the true and accurate cost for the question or 1152
issue, nomination for office, or election to office that the 1153
subdivision submitted to the voters on the special election 1154
ballots. If the board of elections determines that a subdivision 1155
paid less for the cost of preparing and conducting a special 1156
election under division (J) (2) of this section than the actual 1157

cost calculated under this division, the subdivision shall remit 1158
to the county special elections fund the difference between the 1159
payment made under division (J) (2) of this section and the final 1160
cost calculated under this division within thirty days after 1161
being notified of the final cost. If the board of elections 1162
determines that a subdivision paid more for the cost of 1163
preparing and conducting a special election under division (J) 1164
(2) of this section than the actual cost calculated under this 1165
division, the board of elections promptly shall notify the board 1166
of county commissioners of that difference. The board of county 1167
commissioners shall remit from the county special elections fund 1168
to the political subdivision the difference between the payment 1169
made under division (J) (2) of this section and the final cost 1170
calculated under this division within thirty days after 1171
receiving that notification. 1172

(K) As used in this section: 1173

(1) "Political subdivision" and "subdivision" mean any 1174
board of county commissioners, board of township trustees, 1175
legislative authority of a municipal corporation, board of 1176
education, or any other board, commission, district, or 1177
authority that is empowered to levy taxes or permitted to 1178
receive the proceeds of a tax levy, regardless of whether the 1179
entity receives tax settlement moneys as described in division 1180
(A) of this section; 1181

(2) "Statewide ballot issue" means any ballot issue, 1182
whether proposed by the general assembly or by initiative or 1183
referendum, that is submitted to the voters throughout the 1184
state. 1185

Sec. 3501.22. (A) (1) Except as otherwise provided in 1186
division (A) (2) of this section, on or before the fifteenth day 1187

of September in each year, the board of elections by a majority 1188
vote shall, after careful examination and investigation as to 1189
their qualifications, appoint for each election precinct four 1190
residents of the county in which the precinct is located, as 1191
precinct election officials. Except as otherwise provided in 1192
division (C) of this section, all precinct election officials 1193
shall be qualified electors. The precinct election officials 1194
shall constitute the election officers of the precinct. Not more 1195
than one-half of the total number of precinct election officials 1196
shall be members of the same political party. The term of such 1197
precinct officers shall be for one year. The board may, at any 1198
time, designate any number of election officers, not more than 1199
one-half of whom shall be members of the same political party, 1200
to perform their duties at any precinct in any election. The 1201
board may appoint additional officials, equally divided between 1202
the two major political parties, when necessary to expedite 1203
voting. If the board of elections determines that four precinct 1204
election officials are not required in a precinct for a special 1205
election, the board of elections may select two of the 1206
precinct's election officers, who are not members of the same 1207
political party, to serve as the precinct election officials for 1208
that precinct in that special election. 1209

Vacancies for unexpired terms shall be filled by the 1210
board. When new precincts have been created, the board shall 1211
appoint precinct election officials for those precincts for the 1212
unexpired term. Any precinct election official may be summarily 1213
removed from office at any time by the board for neglect of 1214
duty, malfeasance, or misconduct in office or for any other good 1215
and sufficient reason. 1216

Precinct election officials shall perform all of the 1217
duties provided by law for receiving the ballots and supplies, 1218

opening and closing the polls, and overseeing the casting of 1219
ballots during the time the polls are open, and any other duties 1220
required by section 3501.26 of the Revised Code. 1221

A board of elections may designate two precinct election 1222
officials as counting officials to count and tally the votes 1223
cast and certify the results of the election at each precinct, 1224
and perform other duties as provided by law. To expedite the 1225
counting of votes at each precinct, the board may appoint 1226
additional officials, not more than one-half of whom shall be 1227
members of the same political party. 1228

Except as otherwise provided in division (A)(2) of this 1229
section, the board shall designate one of the precinct election 1230
officials who is a member of the dominant political party to 1231
serve as a voting location manager, whose duty it is to deliver 1232
the returns of the election and all supplies to the office of 1233
the board. For these services, the voting location manager shall 1234
receive additional compensation in an amount, consistent with 1235
section 3501.28 of the Revised Code, determined by the board of 1236
elections. 1237

The board shall issue to each precinct election official a 1238
certificate of appointment, which the official shall present to 1239
the voting location manager at the time the polls are opened. 1240

(2) If the board of elections, by a vote of at least three 1241
members of the board, opts to have a single voting location 1242
serve more than one precinct, the board may do any of the 1243
following: 1244

(a) Designate a single voting location manager for the 1245
voting location. The voting location manager shall be a member 1246
of the political party whose candidate received the highest 1247

number of votes for governor at the most recent general election 1248
for that office in the precincts whose polling places are 1249
located at the applicable voting location, when tallying the 1250
combined vote for governor in all such precincts. 1251

(b) Combine the pollbooks for those precincts to create a 1252
single pollbook for the voting location; 1253

(c) If electronic pollbooks are being used in the voting 1254
location, as described in section ~~3506.021~~ 3503.231 of the 1255
Revised Code, appoint not less than two precinct election 1256
officials for each precinct, so long as the board approves the 1257
decision to reduce the number of precinct election officials by 1258
the affirmative vote of at least three of its members. 1259

(B) If the board of elections determines that not enough 1260
qualified electors in a precinct are available to serve as 1261
precinct officers, it may appoint persons to serve as precinct 1262
officers at a primary, special, or general election who are at 1263
least seventeen years of age and are registered to vote in 1264
accordance with section 3503.07 of the Revised Code. 1265

(C) (1) A board of elections, in conjunction with the board 1266
of education of a city, local, or exempted village school 1267
district, the governing authority of a community school 1268
established under Chapter 3314. of the Revised Code, or the 1269
chief administrator of a nonpublic school may establish a 1270
program permitting certain high school students to apply and, if 1271
appointed by the board of elections, to serve as precinct 1272
officers at a primary, special, or general election. 1273

In addition to the requirements established by division 1274
(C) (2) of this section, a board of education, governing 1275
authority, or chief administrator that establishes a program 1276

under this division in conjunction with a board of elections may 1277
establish additional criteria that students shall meet to be 1278
eligible to participate in that program. 1279

(2) (a) To be eligible to participate in a program 1280
established under division (C) (1) of this section, a student 1281
shall be a United States citizen, a resident of the county, and 1282
at least seventeen years of age. 1283

(b) Any student applying to participate in a program 1284
established under division (C) (1) of this section, as part of 1285
the student's application process, shall declare the student's 1286
political party affiliation with the board of elections. 1287

(3) No student appointed as a precinct officer pursuant to 1288
a program established under division (C) (1) of this section 1289
shall be designated as a voting location manager. 1290

(4) Any student participating in a program established 1291
under division (C) (1) of this section shall be excused for that 1292
student's absence from school on the day of an election at which 1293
the student is serving as a precinct officer. 1294

(D) In any precinct with six or more precinct officers, up 1295
to two students participating in a program established under 1296
division (C) (1) of this section who are under eighteen years of 1297
age may serve as precinct officers. Not more than one precinct 1298
officer in any given precinct with fewer than six precinct 1299
officers shall be under eighteen years of age. 1300

Sec. 3501.30. (A) The board of elections shall provide for 1301
each polling place the necessary ballot box, official ballots, 1302
cards of instructions, registration forms, pollbooks ~~or poll-~~ 1303
~~lists~~, tally sheets, forms on which to make summary statements, 1304
writing implements, paper, and all other supplies necessary for 1305

casting and counting the ballots and recording the results of 1306
the voting at the polling place. ~~The pollbooks or poll lists~~ 1307
~~shall have certificates appropriately printed on them for the~~ 1308
~~signatures of all the precinct officials, by which they shall~~ 1309
~~certify that, to the best of their knowledge and belief, the~~ 1310
~~pollbooks or poll lists correctly show the names of all electors~~ 1311
~~who voted in the polling place at the election indicated in the~~ 1312
~~pollbooks or poll lists.~~ 1313

All of the following shall be included among the supplies 1314
provided to each polling place: 1315

(1) A large map of each appropriate precinct, which shall 1316
be displayed prominently to assist persons who desire to 1317
register or vote on election day. Each map shall show all 1318
streets within the precinct and contain identifying symbols of 1319
the precinct in bold print. 1320

(2) Any materials, postings, or instructions required to 1321
comply with state or federal laws; 1322

(3) A flag of the United States approximately two and one- 1323
half feet in length along the top, which shall be displayed 1324
outside the entrance to the polling place during the time it is 1325
open for voting; 1326

(4) Two or more small flags of the United States 1327
approximately fifteen inches in length along the top, which 1328
shall be placed at a distance of one hundred feet from the 1329
polling place on the thoroughfares or walkways leading to the 1330
polling place, to mark the distance within which persons other 1331
than election officials, observers, police officers, and 1332
electors waiting to mark, marking, or casting their ballots 1333
shall not loiter, congregate, or engage in any kind of election 1334

campaigning. Where small flags cannot reasonably be placed one 1335
hundred feet from the polling place, the voting location manager 1336
shall place the flags as near to one hundred feet from the 1337
entrance to the polling place as is physically possible. Police 1338
officers and all election officials shall see that this 1339
prohibition against loitering and congregating is enforced. 1340

When the period of time during which the polling place is 1341
open for voting expires, all of the flags described in this 1342
division shall be taken into the polling place and shall be 1343
returned to the board together with all other election supplies 1344
required to be delivered to the board. 1345

(B) The board of elections shall follow the instructions 1346
and advisories of the secretary of state in the production and 1347
use of polling place supplies. 1348

Sec. 3503.01. (A) ~~Every~~ Only a citizen of the United 1349
States who is of the age of eighteen years or over and who has 1350
been a resident of the state thirty days immediately preceding 1351
the election at which the citizen offers to vote, is a resident 1352
of the county and precinct in which the citizen offers to vote, 1353
and has been registered to vote for thirty days, has the 1354
qualifications of an elector and may vote at all elections in 1355
the precinct in which the citizen resides. Except as otherwise 1356
provided in section 3503.011 and Chapters 3504. and 3511. of the 1357
Revised Code, no person who lacks those qualifications shall be 1358
permitted to vote at any election held in this state. 1359

(B) When only a portion of a precinct is included within 1360
the boundaries of an election district, the board of elections 1361
may assign the electors residing in such portion of a precinct 1362
to the nearest precinct or portion of a precinct within the 1363
boundaries of such election district for the purpose of voting 1364

at any special election held in such district. In any election 1365
in which only a part of the electors in a precinct is qualified 1366
to vote, the board may assign voters in such part to an 1367
adjoining precinct. Such assignment may be made to an adjoining 1368
precinct in another county with the consent and approval of the 1369
board of elections of such other county if the number of voters 1370
assigned to vote in a precinct in another county is two hundred 1371
or less. 1372

The board shall notify all such electors so assigned, at 1373
least ten days prior to the holding of any such election, of the 1374
location of the polling place where they are entitled to vote at 1375
such election. 1376

As used in division (B) of this section, "election 1377
district" means a school district, municipal corporation, 1378
township, or other political subdivision that includes territory 1379
in more than one precinct or any other district or authority 1380
that includes territory in more than one precinct and that is 1381
authorized by law to place an issue on the ballot at a special 1382
election. 1383

Sec. 3503.07. ~~Each~~ Only a person who will be of the age of 1384
eighteen years or more at the next ensuing November election, 1385
who is a citizen of the United States, and who, if ~~he~~ the person 1386
continues to reside in the precinct until the next election, 1387
will at that time have fulfilled all the requirements as to 1388
length of residence to qualify ~~him~~ the person as an elector 1389
shall, unless otherwise disqualified, be entitled to be 1390
registered as an elector in such precinct. Except as otherwise 1391
provided in Chapters 3504. and 3511. of the Revised Code, no 1392
person who lacks those qualifications shall be registered as an 1393
elector in the precinct. When once registered, an elector shall 1394

not be required to register again unless ~~his~~ the person's 1395
registration is canceled. 1396

Sec. 3503.09. (A) (1) The secretary of state shall adopt 1397
rules for the electronic transmission by ~~boards of elections,~~ 1398
~~designated voter registration agencies,~~ ~~offices of deputy~~ 1399
~~registrars of motor vehicles, public high schools and vocational~~ 1400
~~schools, public libraries, and offices of county treasurers,~~ 1401
~~where applicable, of name and residence changes for voter~~ 1402
registration ~~records in the statewide voter registration~~ 1403
~~database update forms.~~ 1404

(2) The secretary of state shall adopt rules for the 1405
purpose of improving the speed of processing new voter 1406
registrations that permit information from a voter registration 1407
application received by a ~~designated voter registration agency~~ 1408
~~or an office of deputy registrar of motor vehicles~~ to be made 1409
available electronically, in addition to requiring the original 1410
voter registration application to be transmitted to the 1411
applicable board of elections under division ~~(E) (2)~~ (E) (5) of 1412
section 3503.10 or section 3503.11 of the Revised Code. 1413

(B) Rules adopted under division (A) of this section shall 1414
do all of the following: 1415

(1) Prohibit any direct electronic connection between a 1416
~~designated voter registration agency, office of deputy registrar~~ 1417
~~of motor vehicles, public high school or vocational school,~~ 1418
~~public library, or office of a county treasurer~~ other than the 1419
secretary of state or a board of elections, and the statewide 1420
voter registration database; 1421

(2) Require any updated voter registration information to 1422
be verified by ~~the secretary of state or a~~ board of elections 1423

before the information is added to the statewide voter 1424
registration database for the purpose of modifying an existing 1425
voter registration; 1426

(3) Require each ~~designated voter registration agency or~~ 1427
~~office of deputy registrar of motor vehicles~~ that transmits 1428
voter registration information electronically to transmit an 1429
identifier for data relating to each new voter registration that 1430
shall be used by ~~the secretary of state or~~ a board of elections 1431
to match the electronic data to the original voter registration 1432
application. 1433

Sec. 3503.10. (A) Each ~~designated voter registration~~ 1434
~~agency, other than a board of elections or the secretary of~~ 1435
~~state,~~ shall designate one person within that agency to serve as 1436
coordinator for the voter registration program within the agency 1437
and its departments, divisions, and programs. The designated 1438
person shall be trained under a program designed by the 1439
secretary of state and shall be responsible for administering 1440
all aspects of the voter registration program for that agency as 1441
prescribed by the secretary of state. The training program shall 1442
include instruction on explaining all of the qualifications of 1443
an elector to applicants. The designated person shall receive no 1444
additional compensation for performing such duties. 1445

(B) Every ~~designated voter registration agency, public~~ 1446
~~high school and vocational school, public library, and office of~~ 1447
~~a county treasurer~~ shall provide in each of its offices or 1448
locations voter registration applications, the information sheet 1449
described in division (E) (2) of this section, and assistance in 1450
the registration of persons qualified to register to vote, in 1451
accordance with this chapter. 1452

(C) Every designated agency also shall distribute to its 1453

applicants, prior to or in conjunction with distributing a voter registration application, a form prescribed by the secretary of state that includes all of the following:

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

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

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

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

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

with each written application or form for recertification, 1483
renewal, or change of address. 1484

(E) Each ~~designated~~ voter registration agency shall do all 1485
of the following: 1486

(1) Have employees trained to administer the voter 1487
registration program in order to provide to each applicant who 1488
wishes to register to vote and who accepts assistance, the same 1489
degree of assistance with regard to completion of the voter 1490
registration application as is provided by the agency with 1491
regard to the completion of its own form; 1492

(2) Provide the applicant with a qualifications to 1493
register and vote information sheet explaining the 1494
qualifications to register and vote in this state and a voter 1495
registration application form. The voter registration agency 1496
shall not distribute a voter registration application form until 1497
the applicant has first been provided a copy of the 1498
qualifications to register and vote information sheet in printed 1499
or electronic format with the following language in a minimum 1500
12-point font, with bold print as indicated: 1501

"QUALIFICATIONS TO REGISTER AND VOTE 1502

Are you a citizen of the United States and qualified to 1503
register to vote? You are a citizen of the United States if you 1504
possess one of the following: (1) a valid and unexpired United 1505
States passport, or (2) a certified: U.S. birth certificate, 1506
Certification of Report of Birth, Consular Report of Birth 1507
Abroad, Certificate of Citizenship, or Certificate of 1508
Naturalization. 1509

Do you have the qualifications of an Ohio resident to 1510
register to vote? You qualify as an Ohio resident if your voting 1511

residence address is: 1512

(a) The place in which your habitation is fixed and to 1513
which, whenever you are absent, you intend to return. 1514

(b) You shall not be considered to have lost your 1515
residence if you leave your home and go into another state or 1516
county of this state, for temporary purposes only, with the 1517
intention of returning. 1518

(c) You shall not be considered to have gained a residence 1519
in any county of this state into which you come for temporary 1520
purposes only, without the intention of making such county the 1521
permanent place of abode. 1522

(d) If you are married, the place where your family 1523
resides shall be considered to be your place of residence. 1524

(e) If you do not have a fixed place of habitation, but 1525
you are a consistent or regular inhabitant of a shelter or other 1526
location to which you intend to return, you may use that shelter 1527
or other location as your residence for purposes of registering 1528
to vote. 1529

(f) You may refer to Ohio Revised Code section 3503.02 for 1530
more information about your voting residence, or contact your 1531
local board of elections for further information. 1532

Are you qualified to register and vote in Ohio? 1533

Per the Ohio Constitution Article V, Section 1: 1534

(a) Only a citizen of the United States, 1535

(b) of the age of eighteen years, 1536

(c) who has been a resident of the state, county, 1537
township, or ward, such time as may be provided by law, and 1538

(d) has been registered to vote for thirty days, has the 1539
qualifications of an elector, and is entitled to vote at all 1540
elections. No person who lacks those qualifications shall be 1541
permitted to vote at any state or local election held in this 1542
state. 1543

Per Ohio Revised Code section 3503.14, Qualifications to 1544
register to vote: (a) You must be a citizen of the United States, 1545
as evidenced by (i) a valid and unexpired United States 1546
passport, or (ii) a certified copy of: U.S. birth certificate, 1547
Certification of Report of Birth, Consular Report of Birth 1548
Abroad, Certificate of Citizenship, or Certificate of 1549
Naturalization. 1550

(b) You must be at least eighteen years of age on or 1551
before the day of the next general election. 1552

(c) You must be a resident of Ohio for at least thirty 1553
days immediately before the election in which you want to vote. 1554

(d) You must not be incarcerated for a felony conviction. 1555

(e) You must not have been declared incompetent for voting 1556
purposes by a court. 1557

(f) You must not be permanently disenfranchised for 1558
violations of election laws. 1559

DO NOT FILL OUT THE VOTER REGISTRATION APPLICATION FORM IF YOU 1560

DO NOT QUALIFY TO REGISTER TO VOTE" 1561

(3) If information on file at the voter registration 1562
agency identifies the person as not qualified to vote, which 1563
includes a person who is not a United States citizen, advise the 1564
applicant that the applicant is not qualified to register to 1565
vote; 1566

(4) Review each completed voter registration application 1567
form and voter registration update form to validate that the 1568
information entered on the form corresponds to information on 1569
file at the voter registration agency, if applicable, and advise 1570
the applicant to correct any invalid information; 1571

(5) Accept completed voter registration applications, ~~and~~ 1572
~~voter registration change of residence forms, and voter~~ 1573
~~registration change of name update forms,~~ regardless of whether 1574
the application or form was distributed by the ~~designated voter~~ 1575
registration agency, for transmittal to the office of the board 1576
of elections in the county in which the agency is located. Each 1577
~~designated voter registration agency~~ and the appropriate board 1578
of elections shall establish a method by which the voter 1579
registration applications and other voter registration forms are 1580
transmitted to that board of elections within five days after 1581
being accepted by the agency. 1582

~~(3)~~ (6) If the voter registration agency is a designated 1583
agency ~~is one~~ that is primarily engaged in providing services to 1584
persons with disabilities under a state-funded program, and that 1585
agency provides services to a person with disabilities at a 1586
person's home, provide the services described in divisions (E) 1587
(1) and (2) of this section at the person's home; 1588

~~(4)~~ (7) Keep as confidential, except as required by the 1589
secretary of state for record-keeping purposes, the identity of 1590
an agency through which a person registered to vote or updated 1591
the person's voter registration records, and information 1592
relating to a declination to register to vote made in connection 1593
with a voter registration application issued by a ~~designated~~ 1594
voter registration agency. 1595

(F) The secretary of state shall prepare and transmit 1596

written instructions on the implementation of the voter 1597
registration program within each ~~designated voter registration~~ 1598
~~agency, public high school and vocational school, public~~ 1599
~~library, and office of a county treasurer.~~ The instructions 1600
shall include directions as follows: 1601

(1) That each person designated to assist with voter 1602
registration maintain strict neutrality with respect to a 1603
person's political philosophies, a person's right to register or 1604
decline to register, and any other matter that may influence a 1605
person's decision to register or not register to vote; 1606

(2) That each person designated to assist with voter 1607
registration not seek to influence a person's decision to 1608
register or not register to vote, not display or demonstrate any 1609
political preference or party allegiance, and not make any 1610
statement to a person or take any action the purpose or effect 1611
of which is to lead a person to believe that a decision to 1612
register or not register has any bearing on the availability of 1613
services or benefits offered, on the grade in a particular class 1614
in school, or on credit for a particular class in school; 1615

(3) Regarding when and how to assist a person in 1616
completing the voter registration application, what to do with 1617
the completed voter registration application or voter 1618
registration update form, and when the application must be 1619
transmitted to the appropriate board of elections; 1620

(4) Regarding what records must be kept by the agency and 1621
where and when those records should be transmitted to satisfy 1622
reporting requirements imposed on the secretary of state under 1623
the National Voter Registration Act of 1993; 1624

(5) Regarding whom to contact to obtain answers to 1625

questions about voter registration forms and procedures. 1626

(G) If the voter registration activity is part of an in- 1627
class voter registration program in a public high school or 1628
vocational school, whether prescribed by the secretary of state 1629
or independent of the secretary of state, the board of education 1630
shall do all of the following: 1631

(1) Establish a schedule of school days and hours during 1632
these days when the person designated to assist with voter 1633
registration shall provide voter registration assistance; 1634

(2) Designate a person to assist with voter registration 1635
from the public high school's or vocational school's staff; 1636

(3) Make voter registration applications, the information 1637
sheet described in division (E)(2) of this section, and other 1638
materials available, as outlined in the voter registration 1639
program established by the secretary of state pursuant to 1640
section 3501.05 of the Revised Code; 1641

(4) Distribute the statement, "applying to register or 1642
declining to register to vote will not affect or be a condition 1643
of your receiving a particular grade in or credit for a school 1644
course or class, participating in a curricular or 1645
extracurricular activity, receiving a benefit or privilege, or 1646
participating in a program or activity otherwise available to 1647
pupils enrolled in this school district's schools." 1648

~~(5) Establish a method by which the voter registration~~ 1649
~~application and other voter registration forms are transmitted~~ 1650
~~to the board of elections within five days after being accepted~~ 1651
~~by the public high school or vocational school.~~ 1652

(H) Any person employed by the designated voter 1653
registration agency, ~~public high school or vocational school,~~ 1654

~~public library, or office of a county treasurer~~ may be 1655
designated to assist with voter registration pursuant to this 1656
section. The ~~designated voter registration agency, public high-~~ 1657
~~school or vocational school, public library, or office of a~~ 1658
~~county treasurer~~ shall provide the designated person, and make 1659
available such space as may be necessary, without charge to the 1660
county or state. 1661

(I) The secretary of state shall prepare and cause to be 1662
displayed in a prominent location in each ~~designated voter~~ 1663
registration agency a notice that identifies the person 1664
designated to assist with voter registration, the nature of that 1665
person's duties, and where and when that person is available for 1666
assisting in the registration of voters. 1667

A ~~designated voter registration agency~~ may furnish 1668
additional supplies and services to disseminate information to 1669
increase public awareness of the existence of a person 1670
designated to assist with voter registration in every ~~designated~~ 1671
voter registration agency. 1672

(J) This section does not limit any authority a board of 1673
education, superintendent, or principal has to allow, sponsor, 1674
or promote voluntary election registration programs within a 1675
high school or vocational school, including programs in which 1676
pupils serve as persons designated to assist with voter 1677
registration, provided that no pupil is required to participate. 1678

(K) ~~Each public library and office of the county treasurer~~ 1679
~~shall establish a method by which voter registration forms are~~ 1680
~~transmitted to the board of elections within five days after~~ 1681
~~being accepted by the public library or office of the county~~ 1682
~~treasurer.~~ 1683

~~(I) The Except as otherwise required by this title, the~~ 1684
department of job and family services and its departments, 1685
divisions, and programs shall limit administration of the 1686
aspects of the voter registration program for the department to 1687
the requirements prescribed by the secretary of state and the 1688
requirements of this section and the National Voter Registration 1689
Act of 1993. 1690

Sec. 3503.11. When any person applies for a driver's 1691
license, commercial driver's license, a state of Ohio 1692
identification card issued under section 4507.50 of the Revised 1693
Code, or motorcycle operator's license or endorsement, or the 1694
renewal or duplicate of any license or endorsement under Chapter 1695
4506. or 4507. of the Revised Code, the registrar of motor 1696
vehicles or deputy registrar shall offer the applicant the 1697
opportunity to register to vote or to update the applicant's 1698
voter registration. ~~The~~ The registrar of motor vehicles or 1699
deputy registrar shall not distribute a voter registration 1700
application form to a person who applies for services under this 1701
section until the applicant has first been provided a copy of 1702
the information sheet described in division (E)(2) of section 1703
3503.10 of the Revised Code. If information on file at the 1704
bureau of motor vehicles identifies the person as not qualified 1705
to vote, which includes a person who is not a United States 1706
citizen, the registrar or deputy registrar shall advise the 1707
applicant that the applicant does not have the qualifications to 1708
register to vote. 1709

The registrar of motor vehicles or deputy registrar also 1710
shall make available to all other customers copies of the 1711
information sheet described in division (E)(2) of section 1712
3503.10 of the Revised Code, voter registration applications, 1713
and ~~change of residence and change of name, voter registration~~ 1714

update forms, but is not required to offer assistance to these 1715
customers in completing a voter registration application or 1716
other form. 1717

The deputy registrar shall send any registration 1718
application or any ~~change of residence or change of name~~ voter 1719
registration update form that was completed and submitted in 1720
paper form to the deputy registrar to the board of elections of 1721
the county in which the office of the deputy registrar is 1722
located, within five days after accepting the application or 1723
other form. The registrar shall send any completed registration 1724
application received at the bureau of motor vehicles 1725
headquarters location and any completed ~~change of residence or~~ 1726
~~change of name~~ voter registration update form processed 1727
electronically in systems or programs operated and maintained by 1728
the bureau of motor vehicles to the secretary of state within 1729
five days after accepting the application or other form. 1730

The registrar shall collect from each deputy registrar 1731
through the reports filed under division (J) of section 4503.03 1732
of the Revised Code and transmit to the secretary of state 1733
information on the number of voter registration applications and 1734
~~change of residence or change of name~~ voter registration update 1735
forms completed or declined, and any additional information 1736
required by the secretary of state to comply with the National 1737
Voter Registration Act of 1993. No information relating to an 1738
applicant's decision to decline to register or update the 1739
applicant's voter registration at the office of the registrar or 1740
deputy registrar may be used for any purpose other than voter 1741
registration record-keeping required by the secretary of state, 1742
and all such information shall be kept confidential. 1743

The secretary of state shall prescribe the information 1744

sheets described in division (E) (2) of section 3503.10 of the 1745
Revised Code, voter registration applications, and change of 1746
residence and change of name voter registration update forms for 1747
use by the bureau of motor vehicles. The bureau of motor 1748
vehicles shall supply all of its deputy registrars with a 1749
sufficient number of information sheets, voter registration 1750
applications, and change of residence and change of name voter 1751
registration update forms. 1752

Sec. 3503.13. ~~(A) (1)~~ (A) Except as otherwise provided in 1753
division ~~(A) (2)~~ (B) of this section, ~~voter registration forms~~ 1754
~~submitted by applicants and the statewide voter registration~~ 1755
~~database established under section 3503.15 of the Revised Code~~ 1756
all of the following are public records subject to disclosure 1757
under section 149.43 of the Revised Code: 1758

(1) Submitted voter registration and update forms; 1759

(2) The information in the voter registration system used 1760
by a board of elections, including the ledger described in 1761
division (A) (7) of section 3506.053 of the Revised Code; 1762

(3) The information in the statewide voter registration 1763
database, including the ledger described in division (A) (7) of 1764
section 3506.053 of the Revised Code; 1765

(4) Other records concerning the implementation of 1766
programs and activities conducted for the purpose of ensuring 1767
the accuracy and currency of voter registration lists, including 1768
the reference lists created under section 3503.152 of the 1769
Revised Code, the information in the reports described in 1770
section 3503.153 of the Revised Code, and the audits conducted 1771
under section 3503.154 of the Revised Code. 1772

~~(2)~~ (B) None of the following ~~are~~ information in the 1773

records of a board of elections or the secretary of state is 1774
subject to disclosure ~~under division (A) (1) of this section~~ as a 1775
public record: 1776

~~(a) (1)~~ An elector's full or partial social security 1777
number, driver's license or state identification card number, 1778
telephone number, or electronic mail address; 1779

~~(b) (2)~~ A photograph of an elector; 1780

(3) A confidential voter registration record, as described 1781
in section 111.44 of the Revised Code; 1782

~~(c) (4)~~ The address of a designated public service worker, 1783
if the designated public service worker has submitted a 1784
redaction request to the board of elections under section 149.45 1785
of the Revised Code; 1786

~~(d) (5)~~ Any other information that is prohibited from 1787
being disclosed by state or federal law. 1788

(B) A board of elections may use a legible digitized 1789
signature list of voter signatures, copied from the signatures 1790
on the registration forms in a form and manner prescribed by the 1791
secretary of state, ~~provided that the~~ for purposes of compiling 1792
the pollbooks under section 3503.231 of the Revised Code. The 1793
board ~~includes~~ shall include the required voter registration 1794
information in the statewide voter registration database 1795
established under section 3503.15 of the Revised Code, ~~and~~ 1796
~~provided that the precinct election officials have computer~~ 1797
~~printouts at the polls prepared in the manner required under~~ 1798
~~section 3503.23 of the Revised Code.~~ 1799

Sec. 3503.14. (A) The secretary of state shall prescribe 1800
the form and content of the voter registration, ~~change of~~ 1801
~~residence~~, and ~~change of name~~ voter registration update forms 1802

used in this state. If an applicant is already registered in 1803
this state at a different address or under a different name, the 1804
form operates as a voter registration update form. The forms 1805
shall meet the requirements of the National Voter Registration 1806
Act of 1993 and the "Help America Vote Act of 2002," 52 U.S.C. 1807
20901 et seq. and shall include spaces for all of the following 1808
be as follows: 1809

"VOTER REGISTRATION APPLICATION 1810

(1) ~~The voter's~~ Provide your full name as it appears on 1811
your Ohio driver's license or state identification card. If you 1812
do not have one, provide your full name as it appears on the 1813
affidavit of religious objection to being photographed that you 1814
submit. _____ 1815

(2) ~~The voter's~~ Provide your current residence address: _____ 1816
_____ 1817

(3) ~~The~~ Provide the current date: _____ 1818

(4) ~~The voter's~~ Provide your date of birth: _____ 1819
_____ 1820

(5) ~~The voter to provide at least one of the following~~ 1821
~~forms of identification:~~ 1822

~~(a) The voter's~~ Provide your Ohio driver's license or 1823
state identification card number: _____ 1824

~~(b) The~~ or, if you do not have an Ohio driver's license or 1825
state identification card, and you submit a valid affidavit of 1826
religious objection to being photographed, the last four digits 1827
of the voter's social security your Social Security number: _____ 1828
_____ 1829

(6) ~~The voter's~~ Provide your signature: _____ 1830

_____ . 1831

(7) I declare under penalty of election falsification 1832
that: 1833

(a) I am a citizen of the United States, as evidenced by: 1834

(i) A valid and unexpired U.S. passport; or 1835

(ii) A certified copy of: U.S. birth certificate, 1836
Certification of Report of Birth, Consular Report of Birth 1837
Abroad, Certificate of Citizenship, or Certificate of 1838
Naturalization. 1839

(b) I will have lived in this state for thirty days 1840
immediately preceding the next election; 1841

(c) I will be at least eighteen years of age at the time 1842
of the general election; 1843

(d) I am not incarcerated for a felony conviction; 1844

(e) I have not been declared incompetent for voting 1845
purposes by a court; and 1846

(f) I have not been permanently disenfranchised for 1847
violations of election laws. 1848

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1849
FELONY OF THE FIFTH DEGREE. 1850

(8) In order to register to vote in Ohio, you must meet 1851
all of the following qualifications: 1852

(a) You must be a citizen of the United States, as 1853
evidenced by (1) a valid and unexpired United States passport, 1854
or (2) a certified copy of: U.S. birth certificate, 1855
Certification of Report of Birth, Consular Report of Birth 1856
Abroad, Certificate of Citizenship, or Certificate of 1857

Naturalization. 1858

(b) You must be at least eighteen years old on or before 1859
the day of the next general election. 1860

(c) You must be a resident of Ohio for at least thirty 1861
days immediately before the election in which you want to vote. 1862

(d) You must not be incarcerated for a felony conviction. 1863

(e) You must not have been declared incompetent for voting 1864
purposes by a court. 1865

(f) You must not be permanently disenfranchised for 1866
violations of election laws. 1867

(9) Instructions: 1868

(a) Your name must be the same as it appears on your Ohio 1869
driver's license or state identification card or, if you do not 1870
have an Ohio driver's license or state identification card, as 1871
it appears on the affidavit of religious objection to being 1872
photographed that you submit. 1873

(b) Your voting residence is the location that you 1874
consider to be your permanent residence, not a temporary 1875
residence. Your voting residence is the place in which your 1876
habitation is fixed and to which, whenever you are absent, you 1877
intend to return. You are not considered to have lost your 1878
residency if you leave your home and go into another state or 1879
county for temporary purposes only, with the intention of 1880
returning. You are not considered to have gained a residence in 1881
any county into which you come for temporary purposes only, 1882
without the intention of making that county your permanent place 1883
of abode. If you are married, the place where your family 1884
resides is considered to be your place of residence. If you do 1885

not have a fixed place of habitation, but you are a consistent 1886
or regular inhabitant of a shelter or other location to which 1887
you intend to return, you may use that shelter or other location 1888
as your residence for purposes of registering to vote. You may 1889
refer to section 3503.02 of the Ohio Revised Code for more 1890
information about your voting residence. If you have questions 1891
about your specific residency circumstances, you may contact 1892
your local board of elections for further information. 1893

(c) Your identification is your Ohio driver's license or 1894
state identification card number. Only if you do not have an 1895
Ohio driver's license or state identification card and you 1896
submit a valid affidavit of religious objection to being 1897
photographed, is your identification the last four digits of 1898
your Social Security number. 1899

(d) If you have a religious objection to being 1900
photographed, submit a valid affidavit of religious objection to 1901
being photographed." 1902

The registration form shall include a space on which the 1903
person registering an applicant shall sign the person's name and 1904
provide the person's address and a space on which the person 1905
registering an applicant shall name the employer who is 1906
employing that person to register the applicant. 1907

Except for forms prescribed by the secretary of state 1908
under section 3503.11 of the Revised Code, the secretary of 1909
state shall permit boards of elections to produce forms that 1910
have subdivided spaces for each individual alphanumeric 1911
character of the information provided by the voter so as to 1912
accommodate the electronic reading and conversion of the voter's 1913
information to data and the subsequent electronic transfer of 1914
that data to the statewide voter registration database 1915

established under section 3503.15 of the Revised Code. 1916

(B) None of the following persons who are registering an 1917
applicant in the course of that official's or employee's normal 1918
duties shall sign the person's name, provide the person's 1919
address, or name the employer who is employing the person to 1920
register an applicant on a form prepared under this section: 1921

(1) An election official or an employee of an election 1922
official; 1923

(2) ~~A county treasurer;~~ 1924

~~(3) A deputy registrar of motor vehicles;~~ 1925

~~(4) An employee of a designated voter registration agency;~~ 1926

~~(5) An employee of a public high school;~~ 1927

~~(6) An employee of a public vocational school;~~ 1928

~~(7) An employee of a public library;~~ 1929

~~(8) An employee of the office of a county treasurer;~~ 1930

~~(9) An employee of the bureau of motor vehicles;~~ 1931

~~(10) An employee of a deputy registrar of motor vehicles;~~ 1932

~~(11) An employee of an election official.~~ 1933

(C) Except as provided in section 3501.382 of the Revised 1934
Code, any applicant who is unable to sign the applicant's own 1935
name shall make an "X," if possible, which shall be certified by 1936
the signing of the name of the applicant by the person filling 1937
out the form, who shall add the person's own signature. If an 1938
applicant is unable to make an "X," the applicant shall indicate 1939
in some manner that the applicant desires to register to vote or 1940
to ~~change update the applicant's name or residence~~ voter 1941

registration. The person registering the applicant shall sign 1942
the form and attest that the applicant indicated that the 1943
applicant desired to register to vote or to ~~change~~ update the 1944
applicant's ~~name or residence~~ voter registration. 1945

~~(D) No registration, change of residence, or change of 1946
name form shall be rejected solely on the basis that a person 1947
registering an applicant failed to sign the person's name or 1948
failed to name the employer who is employing that person to 1949
register the applicant as required under division (A) of this 1950
section. 1951~~

~~(E)~~ A voter registration application or voter registration 1952
update form submitted online through the internet pursuant to 1953
section 3503.20 of the Revised Code is not required to contain a 1954
signature to be considered valid. The signature obtained under 1955
division (B) of that section shall be considered the applicant's 1956
signature for all election and signature-matching purposes. 1957

~~(F)~~ (E) As used in this section, "registering an 1958
applicant" includes any effort, for compensation, to provide 1959
voter registration forms or to assist persons in completing or 1960
returning those forms. 1961

Sec. 3503.15. (A) The secretary of state shall establish 1962
and maintain a statewide voter registration database that shall 1963
be administered by the office of data analytics and archives in 1964
the office of the secretary of state and made continuously 1965
available to each board of elections and to other agencies as 1966
authorized by law. 1967

The statewide voter registration database shall be the 1968
official list of registered electors for all elections conducted 1969
in this state. 1970

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

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

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

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

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

(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained, including both of the following:

(a) A requirement that the servers and other equipment associated with the statewide voter registration database be physically located in a facility in this state that is under the sole control of the secretary of state;

(b) A requirement that any person who has the authority to administer, or create, modify, or cancel any record in, the statewide voter registration database be a United States citizen and a resident of this state and have no criminal record

involving dishonesty, moral turpitude, or any violation of 2000
election or immigration laws. 2001

(6) Methods to retain canceled voter registration records 2002
for not less than five years after they are canceled and to 2003
record the reason for their cancellation, provided that canceled 2004
voter registration records shall be stored in a physically 2005
separate database from current voter registration records. 2006
Canceled voter registration records are subject to disclosure as 2007
public records under section 149.43 of the Revised Code. 2008

(C) For each registered elector, the statewide voter 2009
registration database shall include all of the following 2010
information: 2011

(1) The elector's full name; 2012

(2) The elector's birth date; 2013

(3) The elector's current residence address; 2014

(4) The elector's precinct number; 2015

(5) The elector's Ohio driver's license or state 2016
identification card number, if available; 2017

(6) The last four digits of the elector's social security 2018
number, if available; 2019

(7) The elector's telephone number, if available; 2020

(8) The elector's electronic mail address, if available; 2021

(9) (a) The elector's voter registration date, which shall 2022
be determined based on the elector's most recent application to 2023
register to vote in this state, subject to division (C) (9) (b) of 2024
this section, as follows: 2025

(i) In the case of an application delivered in person to a 2026

state or local office of a ~~designated voter registration agency,~~ 2027
~~the office of the registrar or any deputy registrar of motor~~ 2028
~~vehicles, a public high school or vocational school, a public~~ 2029
~~library, or the office of a county treasurer, other than a board~~ 2030
~~of elections or the secretary of state,~~ the date stamped on the 2031
application upon receipt by the entity that transmits the 2032
application to the board of elections or the secretary of state; 2033

(ii) In the case of an application delivered in person to 2034
a board of elections or the secretary of state, the date stamped 2035
on the application upon receipt by the board of elections or the 2036
secretary of state, as applicable; 2037

(iii) In the case of an application delivered by mail to a 2038
board of elections or the secretary of state, the date the 2039
application is postmarked; 2040

(iv) In the case of an application submitted through the 2041
online voter registration system established under section 2042
3503.20 of the Revised Code, the date of the online submission; 2043

(v) In the case of an application submitted to a board of 2044
elections by facsimile transmission or electronic mail under 2045
Chapter 3511. of the Revised Code, the date of the receipt of 2046
the transmission or electronic mail by the board of elections; 2047

(vi) In the case of a provisional ballot affirmation that 2048
serves as an application to register to vote in future elections 2049
because the individual who cast the ballot is not registered to 2050
vote, the date the board of elections determines that the 2051
provisional ballot is invalid under section 3505.183 of the 2052
Revised Code. 2053

(b) For purposes of determining an elector's voter 2054
registration date under division (C) (9) (a) of this section, all 2055

of the following apply: 2056

(i) An elector's voter registration date shall not be 2057
during the period beginning on the day after the close of voter 2058
registration before an election and ending on the day of the 2059
election. If the date determined under division (C) (9) (a) of 2060
this section would be during that period, the voter registration 2061
date instead shall be the date on which the board of elections 2062
processes the application to register to vote after the day of 2063
the election. 2064

(ii) A ~~change of address or change of name voter~~ 2065
registration update form, including a provisional ballot 2066
affirmation that serves as a ~~change of address or change of name~~ 2067
voter registration update form, is not considered an application 2068
to register to vote. 2069

(iii) An application to register to vote that is submitted 2070
by an individual who is already registered to vote in this state 2071
is not considered an application to register to vote. 2072

(10) The elector's voting history during the current 2073
calendar year and at least the previous nineteen years, 2074
including all of the following for each election in which the 2075
elector cast a ballot that was counted: 2076

(a) The date of the election; 2077

(b) If the election was a primary election, the political 2078
party whose ballot the elector cast at the primary election or 2079
an indication that the elector voted only on the questions and 2080
issues appearing on the ballot at a special election held on the 2081
day of the primary election; 2082

(c) The type of ballot the elector cast. 2083

(11) The elector's last activity date, which shall be 2084
determined in accordance with rules adopted by the secretary of 2085
state pursuant to Chapter 119. of the Revised Code. 2086

(12) A unique voter registration record identification 2087
number assigned to the elector's registration record that 2088
consists of a prefix that corresponds to the county in which the 2089
elector is first registered and a sequentially issued serial 2090
number. The secretary of state shall provide the boards of 2091
elections with instructions for replacing voter registration 2092
record identification numbers that were previously assigned with 2093
identification numbers that meet the requirements of this 2094
division. 2095

(13) Any other information the secretary of state requires 2096
to be included by rule adopted pursuant to Chapter 119. of the 2097
Revised Code. 2098

The statewide voter registration database shall not 2099
include any image of an elector's signature or any photograph of 2100
an elector. 2101

(D) Every day during the period beginning on the forty- 2102
sixth day before an election and ending on the eighty-first day 2103
after the day of the election, a board of elections shall create 2104
a daily record of its voter registration database as of four 2105
p.m. and shall transmit the daily record to the secretary of 2106
state in a secure manner prescribed by the secretary of state. 2107
The secretary of state shall archive the daily record and retain 2108
it for at least twenty-two months after the day of the election. 2109

(E) The secretary of state shall adopt rules pursuant to 2110
Chapter 119. of the Revised Code to implement this section and 2111
sections 3503.151 to ~~3503.153~~ 3503.155 of the Revised Code, 2112

including rules doing all of the following: 2113

(1) Specifying the manner in which any voter registration 2114
records maintained by boards of elections in other data formats 2115
shall be converted for inclusion in the statewide voter 2116
registration database; 2117

(2) Establishing a uniform method for entering voter 2118
registration records into the statewide voter registration 2119
database on an expedited basis, but not less than once per day, 2120
if new registration information is received, and for 2121
transmitting information securely to the secretary of state; 2122

(3) Establishing a uniform method for purging canceled 2123
voter registration records from the statewide voter registration 2124
database in accordance with section 3503.21 of the Revised Code; 2125

(4) Specifying the persons authorized to add, delete, 2126
modify, or print records contained in the statewide voter 2127
registration database and to make updates of that database; 2128

~~(5) Establishing a process for annually auditing the 2129
information contained in the statewide voter registration 2130
database. 2131~~

(F) A board of elections promptly shall purge a voter's 2132
name and voter registration information from the statewide voter 2133
registration database in accordance with the rules adopted by 2134
the secretary of state under division (E)(3) of this section 2135
after the cancellation of a voter's registration under section 2136
3503.21 of the Revised Code. 2137

(G) The secretary of state shall provide training in the 2138
operation of the statewide voter registration database to each 2139
board of elections and to any persons authorized by the 2140
secretary of state to add, delete, modify, or print database 2141

records, and to conduct updates of the database. 2142

(H) A board of elections and any vendor with which it 2143
contracts to provide voter registration software or related 2144
services shall ensure that the board's voter registration system 2145
and practices comply with the requirements of this section and 2146
any rules adopted under this section. 2147

Sec. 3503.151. (A) The secretary of state, through the 2148
office of data analytics and archives, and the boards of 2149
elections shall maintain the accuracy of the statewide voter 2150
registration database in accordance with this section and 2151
sections 3503.152 to 3503.154 of the Revised Code. 2152

(B) (1) State agencies, including, but not limited to, the 2153
department of health, the bureau of motor vehicles, the 2154
department of job and family services, the department of 2155
medicaid, and the department of rehabilitation and corrections, 2156
shall provide any information and data to the secretary of state 2157
that is collected in the course of normal business and that is 2158
necessary to register to vote, to update an elector's 2159
registration, or to maintain the statewide voter registration 2160
database, except where prohibited by federal law or regulation. 2161
The department of health, the bureau of motor vehicles, the 2162
department of job and family services, the department of 2163
medicaid, and the department of rehabilitation and corrections 2164
shall provide that information and data to the secretary of 2165
state not later than the last day of each month. The secretary 2166
of state shall ensure that any information or data provided to 2167
the secretary of state that is confidential in the possession of 2168
the entity providing the data remains confidential while in the 2169
possession of the secretary of state. No public office, and no 2170
public official or employee, shall sell that information or data 2171

or use that information or data for profit. 2172

(2) The secretary of state shall adopt rules under Chapter 2173
119. of the Revised Code that establish, by mutual agreement 2174
with the bureau of motor vehicles, the content and format of the 2175
information and data the bureau of motor vehicles shall provide 2176
to the secretary of state under division (B)(1) of this section 2177
~~and the frequency with which the bureau shall provide that~~ 2178
~~information and data.~~ 2179

(3) On a monthly basis, the director of health shall file 2180
with the secretary of state the names, social security numbers, 2181
dates of birth, dates of death, and residence addresses of all 2182
persons over eighteen years of age who have died within this 2183
state or another state during the previous month. If the 2184
director is notified of the death of such a person after the 2185
director has filed the report for the period during which the 2186
person died, the director shall include that information in the 2187
next report filed after the director is notified of the person's 2188
death. The secretary of state and the director of health shall 2189
jointly establish a secure electronic system through which the 2190
director shall transmit the reports to the secretary of state. 2191

(4) On a monthly basis, each probate judge in this state 2192
shall file with the secretary of state a list of the names, 2193
dates of birth, social security numbers, and residence addresses 2194
of all persons over eighteen years of age who have been 2195
adjudicated incompetent for the purpose of voting, as provided 2196
in section 5122.301 of the Revised Code, during the previous 2197
month. 2198

(5) On a monthly basis, the clerk of each court of common 2199
pleas shall file with the secretary of state a list of the 2200
names, dates of birth, social security numbers, and residence 2201

addresses of all persons who have been convicted of crimes that 2202
disenfranchise those persons during the previous month. 2203

(6) On a monthly basis, the secretary of state shall 2204
provide a list of the names, dates of birth, social security 2205
numbers, and residence addresses of all persons who have been 2206
permanently disenfranchised for violations of election laws 2207
during the previous month. 2208

(C) (1) The secretary of state shall enter into agreements 2209
to share information or data that is in the possession of the 2210
secretary of state with other states or groups of states, as the 2211
secretary of state considers necessary, in order to maintain the 2212
statewide voter registration database. Except as otherwise 2213
provided in division (C) (2) of this section, the secretary of 2214
state shall ensure that any information or data provided to the 2215
secretary of state that is confidential in the possession of the 2216
state providing the data remains confidential while in the 2217
possession of the secretary of state. 2218

(2) The secretary of state may provide such otherwise 2219
confidential information or data to persons or organizations 2220
that are engaging in legitimate governmental purposes related to 2221
the maintenance of the statewide voter registration database. 2222
The secretary of state shall adopt rules pursuant to Chapter 2223
119. of the Revised Code identifying the persons or 2224
organizations who may receive that information or data. The 2225
secretary of state shall not share that information or data with 2226
a person or organization not identified in those rules. The 2227
secretary of state shall ensure that a person or organization 2228
that receives confidential information or data under this 2229
division keeps the information or data confidential in the 2230
person's or organization's possession by, at a minimum, entering 2231

into a confidentiality agreement with the person or 2232
organization. Any confidentiality agreement entered into under 2233
this division shall include a requirement that the person or 2234
organization submit to the jurisdiction of this state in the 2235
event that the person or organization breaches the agreement. 2236

(3) No person or entity that receives information or data 2237
under division (C) of this section shall sell the information or 2238
data or use the information or data for profit. 2239

~~(D) The secretary of state shall regularly transmit to the 2240
boards of elections, to the extent permitted by state and 2241
federal law, the information and data the secretary of state 2242
receives under divisions (B) and (C) of this section that is 2243
necessary to do the following, in order to ensure that the 2244
accuracy of the statewide voter registration database is 2245
maintained on a regular basis in accordance with applicable 2246
state and federal law:— 2247~~

~~(1) Require the boards of elections to maintain the 2248
database in a manner that ensures that the name of each 2249
registered elector appears in the database, that only 2250
individuals who are not registered or eligible to vote are 2251
removed from the database, and that duplicate registrations are 2252
eliminated from the database;— 2253~~

~~(2) Require the boards of elections to make a reasonable 2254
effort to remove individuals who are not eligible to vote from 2255
the database;— 2256~~

~~(3) Establish safeguards to ensure that eligible electors 2257
are not removed in error from the database.— 2258~~

~~(E) (1) The secretary of state shall adopt rules under 2259
Chapter 119. of the Revised Code to establish a uniform method— 2260~~

~~for addressing instances in which records contained in the~~ 2261
~~statewide voter registration database do not conform with~~ 2262
~~records maintained by an agency, state, or group of states~~ 2263
~~described in division (B) or (C) of this section. That method~~ 2264
~~shall prohibit an elector's voter registration from being~~ 2265
~~canceled on the sole basis that the information in the~~ 2266
~~registration record does not conform to records maintained by~~ 2267
~~such an agency.~~ 2268

~~(2) Information provided under division (B) or (C) of this~~ 2269
~~section for maintenance of the statewide voter registration~~ 2270
~~database shall not be used to update the name or address of a~~ 2271
~~registered elector. The name or address of a registered elector~~ 2272
~~shall only be updated as a result of the elector's actions in~~ 2273
~~filing a notice of change of name, change of address, or both.~~ 2274

~~(3) A board of elections shall contact a registered~~ 2275
~~elector pursuant to the rules adopted under division (E) (1) of~~ 2276
~~this section to verify the accuracy of the information in the~~ 2277
~~statewide voter registration database regarding that elector if~~ 2278
~~that information does not conform with information provided~~ 2279
~~under division (B) or (C) of this section and the discrepancy~~ 2280
~~would affect the elector's eligibility to cast a regular ballot.~~ 2281

Sec. 3503.152. (A) The secretary of state shall use 2282
records obtained from the United States postal service, the 2283
bureau of motor vehicles, the United States social security 2284
administration, and other state and federal agencies, 2285
institutions of higher education, county property records, and 2286
any other available database to develop and maintain all of the 2287
following resources for the purpose of generating the reports 2288
described in section 3503.153 of the Revised Code, and shall 2289
make the resources available to the boards of elections in an 2290

<u>electronic format for the purpose of processing voter</u>	2291
<u>registration applications and update forms under section</u>	2292
<u>3503.201 of the Revised Code:</u>	2293
<u>(1) A list of the full names of all known residents of</u>	2294
<u>this state who are seventeen years of age or older, updated</u>	2295
<u>monthly;</u>	2296
<u>(2) A list of all known residence addresses in each</u>	2297
<u>county, updated every three months. The list shall include each</u>	2298
<u>address in the appropriate format for inclusion in the statewide</u>	2299
<u>voter registration database and for the delivery of mail by the</u>	2300
<u>United States postal service.</u>	2301
<u>(3) A list of all known addresses in each county that are</u>	2302
<u>not suitable for use as a residence address, including</u>	2303
<u>commercial mailbox facilities and facilities maintained by the</u>	2304
<u>United States postal service, other nonresidential premises, and</u>	2305
<u>vacant lots, updated annually;</u>	2306
<u>(4) A list of all known residence addresses in each county</u>	2307
<u>that correspond to short-term housing facilities, including</u>	2308
<u>student housing, hotels, and shelters, updated annually;</u>	2309
<u>(5) Current photographs and digitized signatures of bureau</u>	2310
<u>of motor vehicles customers who are seventeen years of age or</u>	2311
<u>older, obtained from the bureau at least every month;</u>	2312
<u>(6) A list of residents of this state who have died and</u>	2313
<u>whose dates of birth are within the past one hundred thirty</u>	2314
<u>years, updated monthly;</u>	2315
<u>(7) A list of former residents of this state who have</u>	2316
<u>applied for a driver's license or state identification card or</u>	2317
<u>state identification card in another state, updated at least</u>	2318
<u>every month;</u>	2319

(8) A list of residents of this state who appear on a permanent United States postal service national change of address list as residing in another state, updated at least every month. 2320
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(B) When a board of elections registers an elector or processes a voter registration update form for an elector whose full name does not appear in the list described in division (A) (1) of this section, or whose address does not appear in the list described in division (A) (2) of this section, the secretary of state shall update the list to include the elector's name or address, as applicable. 2324
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Sec. 3503.153. (A) The secretary of state shall review the information in the statewide voter registration database and county voter registration systems and the information received from other agencies, and shall compile and transmit weekly reports to the boards of elections for the purpose of maintaining the accuracy of the statewide voter registration database in accordance with applicable state and federal law. Using the data acquired under sections 3503.151 and 3503.152 of the Revised Code, as applicable, the secretary of state shall create reports for each county that include all of the following: 2331
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(1) (a) A report that identifies each registered elector of the county who has died. The report shall include information from all of the following sources based on a matching first name, last name, and date of birth: 2342
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(i) The director of health, as described in section 3503.151 of the Revised Code; 2346
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(ii) The state and territorial exchange of vital events 2348

system operated by the national association for public health 2349
statistics and information systems; 2350

(iii) Any available information from the United States 2351
social security administration and from any other government 2352
database. 2353

(b) Upon receiving the report described in division (A) (1) 2354
(a) of this section, the board promptly shall cancel the 2355
elector's registration. 2356

(2) A report that identifies any registered elector of the 2357
county who has been adjudicated incompetent for the purpose of 2358
voting, as provided in section 5122.301 of the Revised Code. 2359
Upon receiving the report, the board promptly shall cancel the 2360
elector's registration. 2361

(3) A report that identifies any registered elector of the 2362
county who has been convicted of a crime that disenfranchises 2363
the person, based on the lists submitted to the secretary of 2364
state under division (B) (5) of section 3503.151 of the Revised 2365
Code and any reports of conviction of crimes under the laws of 2366
the United States that disenfranchise a person and that are 2367
provided to the secretary of state by any United States 2368
attorney. Upon receiving the report, the board promptly shall 2369
cancel the elector's registration. 2370

(4) (a) A report that identifies any person who is 2371
registered to vote in the county who appears not to be a United 2372
States citizen on the basis of any of the following: 2373

(i) Information the person provided to the bureau of motor 2374
vehicles; 2375

(ii) Information the person provided to the department of 2376
job and family services; 2377

<u>(iii) Information in United States social security</u>	2378
<u>administration records;</u>	2379
<u>(iv) Information obtained from the systematic alien</u>	2380
<u>verification for entitlements service, or its successor service,</u>	2381
<u>operated by the United States department of homeland security or</u>	2382
<u>its successor department;</u>	2383
<u>(v) Information obtained from a government database or a</u>	2384
<u>commercial service based on information derived from sources</u>	2385
<u>including, but not limited to, the following: (I) a valid and</u>	2386
<u>unexpired United States passport or (II) a certified copy of:</u>	2387
<u>United States birth certificate, certification of report of</u>	2388
<u>birth, consular report of birth abroad, certificate of</u>	2389
<u>citizenship, or certificate of naturalization.</u>	2390
<u>(b) Upon receiving the report described in division (A) (4)</u>	2391
<u>(a) of this section, when a person is identified as not being a</u>	2392
<u>United States citizen, the board shall promptly do all of the</u>	2393
<u>following:</u>	2394
<u>(i) Add a notation in the elector's voter registration</u>	2395
<u>record that the next time the elector votes, the elector must</u>	2396
<u>cast a provisional ballot. In order for the elector's</u>	2397
<u>provisional ballot to be counted, the elector shall provide to</u>	2398
<u>the board of elections (I) a valid and unexpired United States</u>	2399
<u>passport, or (II) a certified copy of: United States birth</u>	2400
<u>certificate, certification of report of birth, consular report</u>	2401
<u>of birth abroad, certificate of citizenship, or certificate of</u>	2402
<u>naturalization.</u>	2403
<u>(ii) Send a confirmation notice with return notice and</u>	2404
<u>cancellation notice requesting that the elector, within fifteen</u>	2405
<u>days, either provide a document to the board to confirm that the</u>	2406

elector is a United States citizen or cancel the elector's voter registration. 2407
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(I) If the board receives no response within fifteen days, the board shall send a second confirmation notice with return notice and cancellation notice requesting that the elector, within fifteen days, either provide a document to the board to confirm that the elector is a United States citizen or cancel the elector's voter registration. 2409
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(II) If, within thirty days after the first confirmation notice is sent to the elector, the elector provides to the board a document described in division (A)(4)(b)(i) of this section, the board shall remove the notation described in that division from the elector's voter registration record. 2415
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(III) If the elector does not provide to the board a document specified in division (A)(4)(b)(i) of this section within thirty days after the first confirmation notice is sent to the elector, the board shall cancel the voter registration. The board shall send a cancellation notice to the elector and forward the matter to the prosecuting attorney for investigation. 2420
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(IV) If the elector cancels the elector's voter registration, the board shall forward the matter to the prosecuting attorney for investigation. 2427
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(5) (a) A report that identifies any registered elector of the county who appears to have had a change of residence address or change of name without updating the elector's registration and who has not yet been sent a confirmation notice, based on any of the following, along with the basis for including the elector in the report: 2430
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<u>(i) Information obtained under section 3503.151 of the</u>	2436
<u>Revised Code and all available resources that provide the</u>	2437
<u>following:</u>	2438
<u>(I) Changes of residence address or changes of name</u>	2439
<u>submitted to other state agencies;</u>	2440
<u>(II) Information about electors who are bureau of motor</u>	2441
<u>vehicles customers and have applied for a driver's license in</u>	2442
<u>another state;</u>	2443
<u>(III) Information about electors who have registered to</u>	2444
<u>vote or voted in another state.</u>	2445
<u>(ii) Information obtained by the secretary of state from</u>	2446
<u>the national change of address service provided by the United</u>	2447
<u>States postal service through its licensees;</u>	2448
<u>(iii) The fact that the elector is registered at an</u>	2449
<u>address to which any of the following apply:</u>	2450
<u>(I) The United States postal service is unable to deliver</u>	2451
<u>mail to the address.</u>	2452
<u>(II) The premises at the address are unsuitable for</u>	2453
<u>habitation.</u>	2454
<u>(III) More electors are registered at the address than</u>	2455
<u>reasonably could reside on the premises and the elector's date</u>	2456
<u>of registration at the address suggests that the elector has</u>	2457
<u>moved.</u>	2458
<u>(IV) The premises at the address are a short-term housing</u>	2459
<u>facility and the elector's date of registration at the address</u>	2460
<u>suggests that the elector has moved.</u>	2461
<u>(iv) The fact that the elector, during a period of two</u>	2462

years or more, has not voted in an election or updated the 2463
elector's voter registration. 2464

(b) Upon receiving the report described in division (A) (5) 2465
(a) of this section, the board promptly shall send the elector a 2466
confirmation notice, subject to division (B) of this section. 2467

(6) A report that identifies any registered elector of the 2468
county who has been sent a confirmation notice and whose 2469
registration is required to be canceled under division (A) (5) of 2470
section 3503.21 of the Revised Code. Upon receiving the report, 2471
the board promptly shall cancel the elector's registration, 2472
subject to the requirements of that division and division (B) of 2473
this section. 2474

(7) A report that identifies any registered elector of the 2475
county who has been sent a confirmation notice and who has 2476
responded to a confirmation notice, updated the elector's 2477
registration, or voted in an election, but whose registration 2478
record has not been updated to reflect the fact that the 2479
elector's registration is no longer subject to cancellation 2480
under division (A) (5) of section 3503.21 of the Revised Code. 2481
Upon receiving the report, the board promptly shall update the 2482
elector's registration record to reflect that fact. 2483

(8) (a) A report that identifies any apparent duplicate 2484
registration records within the county's registration records, 2485
between two or more counties' registration records, or between 2486
the registration records of this state and another state, 2487
including any apparent duplicate records identified using either 2488
of the following criteria: 2489

(i) Registration records with the same first name, last 2490
name, and birth date; 2491

(ii) Registration records with the same first name, birth date, and residence address. 2492
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(b) Upon receiving a report under division (A)(8)(a) of this section, the board promptly shall investigate the matter using all available resources, including the resources described in sections 3503.151 and 3503.152 of the Revised Code, and resolve any duplicate registrations to exclude extraneous records from the list of eligible electors. 2494
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(c) If an elector appears on the report described in division (A)(8)(a) of this section as an apparent duplicate registration between this state and another state's voter registration records and exists on the United States postal service national change of address reference list maintained by the secretary of state under section 3503.152 of the Revised Code as having moved to the same address registered in the other state, the board shall cancel the elector's voter registration and send a cancellation notice to the elector. 2500
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(9) A report that identifies electors who are bureau of motor vehicles customers and have applied for a driver's license in another state. If an elector appears on that report and on the United States postal service national change of address reference list maintained by the secretary of state under section 3503.152 of the Revised Code as having moved to the address associated with the driver's license in another state, the board shall cancel the elector's voter registration and send a cancellation notice to the elector. 2509
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(10) A report that identifies any registered elector of the county who appears to have voted more than once in an election in this state or another state, based on information obtained from other states under section 3503.151 of the Revised 2518
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Code and the report described in division (A) (8) (a) of this 2522
section. Upon receiving the report, the board promptly shall 2523
refer the matter to the county prosecutor for investigation. 2524

(11) A report that identifies any electors who have the 2525
same residence address but are assigned to different precincts 2526
or voting districts. Upon receiving the report, the board 2527
promptly shall investigate the matter and correct any errors. 2528

(12) A report that identifies any electors who have been 2529
permanently disenfranchised for violations of election laws. 2530
Upon receiving the report, the board shall cancel the elector's 2531
registration. 2532

(13) A report that identifies any other registration 2533
record in the county that appears not to comply with the 2534
requirements of federal law, the Revised Code, or the rules or 2535
directives of the secretary of state. Upon receiving the report, 2536
the board promptly shall investigate the matter and correct any 2537
errors. 2538

(14) A report that identifies persons who have submitted 2539
an affidavit of religious objection to being photographed, and: 2540

(a) That the affidavit has not yet been validated; 2541

(b) That the affidavit has been determined to be valid; or 2542

(c) That the affidavit has been determined to be invalid 2543
and the reason. 2544

(15) All reports produced under this section shall be 2545
published on the secretary of state's official web site. 2546

(B) The secretary of state shall adopt rules under Chapter 2547
119. of the Revised Code establishing uniform and 2548
nondiscriminatory procedures for the secretary of state and the 2549

boards of elections to use in carrying out the requirements of 2550
division (A) of this section in a manner that complies with 2551
state and federal law. The rules shall do all of the following: 2552

(1) Require the boards of elections to maintain voter 2553
registration records in a manner that ensures that only 2554
individuals who are eligible to register to vote appear in the 2555
statewide voter registration database, that the name of each 2556
registered elector appears in the statewide voter registration 2557
database, that only individuals who are not registered or 2558
eligible to vote are removed from the database, and that 2559
duplicate registrations are resolved to exclude extraneous 2560
records from the list of eligible voters; 2561

(2) Require the boards of elections to remove individuals 2562
who are not eligible to vote from the database, including a 2563
requirement that a board of elections investigate and take 2564
appropriate action concerning each registration identified in a 2565
report under division (A) of this section within two weeks after 2566
receiving the report; 2567

(3) Establish safeguards to ensure that eligible electors 2568
are not removed in error from the database; 2569

(4) Prohibit an elector's registration from being canceled 2570
on the sole basis that the information in the registration 2571
record does not conform to records in another database; 2572

(5) Permit an elector's registration to be updated only as 2573
a result of the elector's actions in submitting a voter 2574
registration update form, except for the correction of errors 2575
committed by a board of elections or submitted in an application 2576
for correction under section 3503.24 of the Revised Code. 2577

(C) The secretary of state shall engage a commercial 2578

service to perform monthly evaluations of the accuracy of the 2579
information in the statewide voter registration database, the 2580
reports generated under division (A) of this section, and county 2581
voter registration systems. Not later than two weeks after each 2582
evaluation is completed, the secretary of state shall publish 2583
the results of the evaluation, along with a written plan to take 2584
any needed corrective action, on the secretary of state's 2585
official web site. Except as otherwise required under division 2586
(B) of this section, the secretary of state and the boards of 2587
elections immediately shall begin taking the necessary 2588
corrective action and shall complete the corrections before the 2589
day of the next election. 2590

Sec. 3503.154. (A) Each year, the auditor of state shall 2591
conduct an audit of the statewide voter registration database 2592
and of three counties' voter registration systems. 2593

(B) (1) The county voter registration systems to be audited 2594
in a given year shall be randomly selected based on each 2595
county's number of registered electors, as follows: 2596

(a) One county from the counties representing the top 2597
third of all registered electors; 2598

(b) One county from the counties representing the middle 2599
third of all registered electors; 2600

(c) One county from the counties representing the lowest 2601
third of all registered electors. 2602

(2) A county that is audited under division (B) (1) of this 2603
section shall not be audited under that division again until 2604
every other county in the county's category has been audited the 2605
same number of times. This division does not apply to any 2606
additional audits conducted under division (D) of this section. 2607

(C) Each audit of the statewide voter registration database or a county voter registration system shall include evaluations of the degree to which each of the following are true: 2608
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(1) Electors' names and addresses are entered in a format that conforms with the requirements of this chapter and of directives issued by the secretary of state. 2612
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(2) Electors' names, addresses, and dates of birth are consistent with the corresponding voter registration applications and update forms and with the records of the bureau of motor vehicles. 2615
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(3) Electors are not registered at residence addresses that are not suitable for use as residence addresses. 2619
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(4) Electors' voter registration dates are accurate, as described in division (C) (9) of section 3503.15 of the Revised Code. 2621
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(5) Electors' dates of birth indicate that they are eligible to vote, are logically consistent with the electors' voter registration dates and voting history dates, and are not older than the oldest known United States citizen. 2624
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(6) Electors' registration records are consistent as shown in the statewide voter registration database and the applicable county's voter registration system, and the same electors show in the statewide voter registration database and in the applicable county's voter registration system. 2628
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(7) Duplicate records are not present in the database being audited. 2633
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(8) Electors who are registered at the same address are 2635

not assigned to different precincts or voting districts. 2636

(9) The secretary of state or the board of elections, as 2637
applicable, complies with the database maintenance procedures 2638
described in sections 3503.15 to 3503.153, 3503.201, and 3503.21 2639
of the Revised Code. 2640

(D) In addition to the annual audits conducted under this 2641
section, upon the request of the secretary of state or the 2642
appropriate board of elections, the auditor of state shall 2643
conduct an additional audit of a county's voter registration 2644
system for the entire county or for a particular precinct or 2645
precincts. 2646

(E) The report, findings, and recommendations for each 2647
audit conducted under this section shall be made available to 2648
the public on the official web sites of the auditor of state and 2649
the secretary of state. 2650

Sec. ~~3503.153~~ 3503.155. (A) The statewide voter 2651
registration database shall be made available on a web site of 2652
the office of the secretary of state as follows: 2653

(1) Except as otherwise provided in division (A)(2) of 2654
this section, the following information from the statewide voter 2655
registration database regarding a registered elector shall be 2656
made available on the web site: 2657

(a) The elector's voter registration record identification 2658
number; 2659

(b) The elector's full name; 2660

~~(b)~~ (c) The elector's birth date; 2661

~~(e)~~ (d) The elector's current residence address; 2662

~~(d)~~ (e) The elector's precinct number; 2663

~~(e)~~ (f) The elector's voter registration date, as 2664
described in division (C) (9) of section 3503.15 of the Revised 2665
Code; 2666

~~(f)~~ (g) The elector's voting history, as described in 2667
division (C) (10) of section 3503.15 of the Revised Code; 2668

~~(g)~~ (h) The elector's last activity date, as described in 2669
division (C) (11) of section 3503.15 of the Revised Code; 2670

(i) Whether the elector's registration is subject to 2671
cancellation on or after a certain date on the ground that the 2672
elector has been sent a confirmation notice and has not yet 2673
taken any action described in division (A) (5) of section 3503.21 2674
of the Revised Code, and if so, the date on which the elector's 2675
registration may be canceled. 2676

(2) During the thirty days before the day of a primary or 2677
general election, the web site interface of the statewide voter 2678
registration database shall permit an elector to search for the 2679
polling location at which that elector may cast a ballot. 2680

(3) All of the information described in division (A) (1) of 2681
this section regarding individuals whose voter registrations 2682
have been canceled and are retained in a physically separate 2683
database under division (B) (6) of section 3503.15 of the Revised 2684
Code. 2685

(4) No information in the statewide voter registration 2686
database that is exempt from disclosure under division ~~(A) (2)~~ 2687
(B) of section 3503.13 of the Revised Code shall be made 2688
available on the web site. 2689

(B) (1) The secretary of state shall establish, by rule 2690

adopted under Chapter 119. of the Revised Code, a process for 2691
boards of elections to notify the secretary of state of changes 2692
in the locations of precinct polling places for the purpose of 2693
updating the information made available on the secretary of 2694
state's web site under division (A) (2) of this section. Those 2695
rules shall require a board of elections, during the thirty days 2696
before the day of a primary or general election, to notify the 2697
secretary of state within one business day of any change to the 2698
location of a precinct polling place within the county. 2699

(2) During the thirty days before the day of a primary or 2700
general election, not later than one business day after 2701
receiving a notification from a county pursuant to division (B) 2702
(1) of this section that the location of a precinct polling 2703
place has changed, the secretary of state shall update that 2704
information on the secretary of state's web site for the purpose 2705
of division (A) (2) of this section. 2706

(C) The statewide voter registration database web site 2707
shall permit a user to do the following: 2708

(1) Access information concerning a particular elector or 2709
individual; and 2710

(2) Generate, view, sort, filter, and download the 2711
following types of reports: 2712

(a) A report of all registered electors in a county, along 2713
with the information described in divisions (A) (1) and (2) of 2714
this section concerning those electors; 2715

(b) A report of all individuals whose registrations have 2716
been canceled in a county, along with the information described 2717
in division (A) (1) of this section concerning those individuals; 2718

(c) A report of all electors in a county who have been 2719

sent confirmation notices and who have not yet taken any action 2720
described in division (A) (5) of section 3503.21 of the Revised 2721
Code after being sent the notice; 2722

(d) A report of all potential duplicate registrations 2723
within a county, within this state, or in this state and another 2724
state, based on either of the following criteria: 2725

(i) The electors have the same first name, last name, and 2726
date of birth. 2727

(ii) The electors have the same first name, residence 2728
address, and date of birth. 2729

Sec. 3503.16. (A) ~~Except as otherwise provided in division~~ 2730
~~(E) of section 111.44 of the Revised Code, whenever~~ Whenever a 2731
registered elector changes the place of residence of that 2732
registered elector ~~from one precinct to another within a county~~ 2733
~~or from one county to another~~ this state, or has a change of 2734
name, that registered elector shall report the change by 2735
~~delivering a change of residence or change of name form,~~ 2736
~~whichever is appropriate, as prescribed by the secretary of~~ 2737
~~state under section 3503.14 of the Revised Code to the state or~~ 2738
~~local office of a designated agency, a public high school or~~ 2739
~~vocational school, a public library, the office of the county~~ 2740
~~treasurer, the office of the secretary of state, any office of~~ 2741
~~the registrar or deputy registrar of motor vehicles, or any~~ 2742
~~office of a board of elections in person or by a third person.~~ 2743
~~Any voter registration, change of address, or change of name~~ 2744
~~application, returned by mail, may be sent only to the secretary~~ 2745
~~of state or the board of elections.~~ 2746

~~A registered elector also may update the registration of~~ 2747
~~that registered elector by filing a change of residence or~~ 2748

~~change of name form on the day of a special, primary, or general~~ 2749
~~election at the polling place in the precinct in which that~~ 2750
~~registered elector resides or at the board of elections or at~~ 2751
~~another site designated by the board~~ one of the methods 2752
described in section 3503.19 of the Revised Code not later than 2753
the thirtieth day before the day of an election, except as 2754
otherwise permitted under this section. 2755

(B) (1) (a) Any registered elector who moves within a 2756
precinct on or prior to the day of a general, primary, or 2757
special election and has not ~~filed a notice of reported the~~ 2758
~~change of residence with the board of elections under section~~ 2759
~~3503.19 of the Revised Code~~ may vote in that election by going 2760
to that registered elector's assigned polling place, completing 2761
and signing a notice of change of residence voter registration 2762
update form, showing photo identification, and casting a ballot. 2763

(b) Any registered elector who changes the name of that 2764
registered elector and remains within a precinct on or prior to 2765
the day of a general, primary, or special election and has not 2766
~~filed a notice of reported the~~ change of name with the board of 2767
~~elections under section 3503.19 of the Revised Code~~ may vote in 2768
that election by going to that registered elector's assigned 2769
polling place, completing and signing a notice of a change of 2770
~~name~~ voter registration update form, and casting a provisional 2771
ballot under section 3505.181 of the Revised Code. If the 2772
registered elector provides to the precinct election officials 2773
proof of a legal name change, such as a marriage license or 2774
court order that includes the elector's current and prior names, 2775
the elector may complete and sign a notice of change of name 2776
voter registration update form and cast a regular ballot. 2777

(2) Any registered elector who moves from one precinct to 2778

another within a county or moves from one precinct to another 2779
and changes the name of that registered elector on or prior to 2780
the day of a general, primary, or special election and has not 2781
~~filed a notice of reported the~~ change of residence or change of 2782
name, whichever is appropriate, ~~with the board of elections~~ 2783
under section 3503.19 of the Revised Code may vote in that 2784
election if that registered elector complies with division ~~(G)~~ 2785
(E) of this section or does all of the following: 2786

(a) Appears at ~~anytime~~ any time during regular business 2787
hours on or after the twenty-eighth day prior to the election in 2788
which that registered elector wishes to vote or, if the election 2789
is held on the day of a presidential primary election, the 2790
twenty-fifth day prior to the election, through noon of the 2791
Saturday prior to the election at the office of the board of 2792
elections, appears at any time during regular business hours on 2793
the Monday prior to the election at the office of the board of 2794
elections, or appears on the day of the election at either of 2795
the following locations: 2796

(i) The polling place for the precinct in which that 2797
registered elector resides; 2798

(ii) The office of the board of elections or, if pursuant 2799
to division (C) of section 3501.10 of the Revised Code the board 2800
has designated another location in the county at which 2801
registered electors may vote, at that other location instead of 2802
the office of the board of elections. 2803

(b) Completes and signs, under penalty of election 2804
falsification, the written affirmation on the provisional ballot 2805
envelope, which shall serve as a ~~notice of change of residence~~ 2806
~~or change of name, whichever is appropriate~~ voter registration 2807
update form; 2808

(c) Votes a provisional ballot under section 3505.181 of 2809
the Revised Code at the polling place, at the office of the 2810
board of elections, or, if pursuant to division (C) of section 2811
3501.10 of the Revised Code the board has designated another 2812
location in the county at which registered electors may vote, at 2813
that other location instead of the office of the board of 2814
elections, whichever is appropriate, using the address to which 2815
that registered elector has moved or the name of that registered 2816
elector as changed, whichever is appropriate; 2817

(d) Completes and signs, under penalty of election 2818
falsification, a statement attesting that that registered 2819
elector moved or had a change of name, whichever is appropriate, 2820
on or prior to the day of the election, has voted a provisional 2821
ballot at the polling place for the precinct in which that 2822
registered elector resides, at the office of the board of 2823
elections, or, if pursuant to division (C) of section 3501.10 of 2824
the Revised Code the board has designated another location in 2825
the county at which registered electors may vote, at that other 2826
location instead of the office of the board of elections, 2827
whichever is appropriate, and will not vote or attempt to vote 2828
at any other location for that particular election. 2829

(C) Any registered elector who moves from one county to 2830
another county within the state on or prior to the day of a 2831
general, primary, or special election and has not ~~registered to~~ 2832
~~vote in the county to which that registered elector moved~~ 2833
reported the change of residence under section 3503.19 of the 2834
Revised Code may vote in that election if that registered 2835
elector complies with division ~~(G)~~ (E) of this section or does 2836
all of the following: 2837

(1) Appears at any time during regular business hours on 2838

or after the twenty-eighth day prior to the election in which 2839
that registered elector wishes to vote or, if the election is 2840
held on the day of a presidential primary election, the twenty- 2841
fifth day prior to the election, through noon of the Saturday 2842
prior to the election at the office of the board of elections 2843
or, if pursuant to division (C) of section 3501.10 of the 2844
Revised Code the board has designated another location in the 2845
county at which registered electors may vote, at that other 2846
location instead of the office of the board of elections, 2847
appears during regular business hours on the Monday prior to the 2848
election at the office of the board of elections or, if pursuant 2849
to division (C) of section 3501.10 of the Revised Code the board 2850
has designated another location in the county at which 2851
registered electors may vote, at that other location instead of 2852
the office of the board of elections, or appears on the day of 2853
the election at the office of the board of elections or, if 2854
pursuant to division (C) of section 3501.10 of the Revised Code 2855
the board has designated another location in the county at which 2856
registered electors may vote, at that other location instead of 2857
the office of the board of elections; 2858

(2) Completes and signs, under penalty of election 2859
falsification, the written affirmation on the provisional ballot 2860
envelope, which shall serve as a ~~notice of change of residence~~ 2861
voter registration update form; 2862

(3) Votes a provisional ballot under section 3505.181 of 2863
the Revised Code at the office of the board of elections or, if 2864
pursuant to division (C) of section 3501.10 of the Revised Code 2865
the board has designated another location in the county at which 2866
registered electors may vote, at that other location instead of 2867
the office of the board of elections, using the address to which 2868
that registered elector has moved; 2869

(4) Completes and signs, under penalty of election 2870
falsification, a statement attesting that that registered 2871
elector has moved from one county to another county within the 2872
state on or prior to the day of the election, has voted at the 2873
office of the board of elections or, if pursuant to division (C) 2874
of section 3501.10 of the Revised Code the board has designated 2875
another location in the county at which registered electors may 2876
vote, at that other location instead of the office of the board 2877
of elections, and will not vote or attempt to vote at any other 2878
location for that particular election. 2879

(D) A person who votes by absent voter's ballots pursuant 2880
to division ~~(G)~~(E) of this section shall not make written 2881
application for the ballots pursuant to Chapter 3509. of the 2882
Revised Code. Ballots cast pursuant to division ~~(G)~~(E) of this 2883
section shall be set aside in a special envelope and counted 2884
during the official canvass of votes in the manner provided for 2885
in sections 3505.32 and 3509.06 of the Revised Code insofar as 2886
that manner is applicable. The board shall examine the pollbooks 2887
to verify that no ballot was cast at the polls or by absent 2888
voter's ballots under Chapter 3509. or 3511. of the Revised Code 2889
by an elector who has voted by absent voter's ballots pursuant 2890
to division ~~(G)~~(E) of this section. Any ballot determined to be 2891
insufficient for any of the reasons stated above or stated in 2892
section 3509.07 of the Revised Code shall not be counted. 2893

Subject to division (C) of section 3501.10 of the Revised 2894
Code, a board of elections may lease or otherwise acquire a site 2895
different from the office of the board at which registered 2896
electors may vote pursuant to division (B) or (C) of this 2897
section. 2898

~~(E) Upon receiving a notice of change of residence or~~ 2899

~~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.~~ 2900-2907

~~(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.~~ 2908-2913

~~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 shall forward all completed forms to the board of elections within five days after receiving them.~~ 2914-2920

~~(G) A registered elector who otherwise would qualify to vote under division (B) or (C) of this section but is unable to appear at the office of the board of elections or, if pursuant to division (C) of section 3501.10 of the Revised Code the board has designated another location in the county at which registered electors may vote, at that other location, on account of personal illness, physical disability, or infirmity, may vote on the day of the election if that registered elector does all of the following:~~ 2921-2929

(1) Makes a written application on a form prescribed by 2930
the secretary of state that includes all of the information 2931
required under section 3509.03 of the Revised Code to the 2932
appropriate board for an absent voter's ballot on or after the 2933
twenty-seventh day prior to the election in which the registered 2934
elector wishes to vote through the close of business on the 2935
seventh day prior to that election and requests that the absent 2936
voter's ballot be sent to the address to which the registered 2937
elector has moved if the registered elector has moved, or to the 2938
address of that registered elector who has not moved but has had 2939
a change of name; 2940

(2) Declares that the registered elector has moved or had 2941
a change of name, whichever is appropriate, and otherwise is 2942
qualified to vote under the circumstances described in division 2943
(B) or (C) of this section, whichever is appropriate, but that 2944
the registered elector is unable to appear at the board of 2945
elections because of personal illness, physical disability, or 2946
infirmity; 2947

(3) Completes and returns along with the completed absent 2948
voter's ballot ~~a notice of change of residence indicating the~~ 2949
~~address to which the registered elector has moved, or a notice~~ 2950
~~of change of name, whichever is appropriate, voter registration~~ 2951
update form; 2952

(4) Completes and signs, under penalty of election 2953
falsification, a statement attesting that the registered elector 2954
has moved or had a change of name on or prior to the day before 2955
the election, has voted by absent voter's ballot because of 2956
personal illness, physical disability, or infirmity that 2957
prevented the registered elector from appearing at the board of 2958
elections, and will not vote or attempt to vote at any other 2959

location or by absent voter's ballot mailed to any other 2960
location or address for that particular election. 2961

Sec. 3503.19. (A) ~~Persons~~ Except as otherwise provided in 2962
section 111.44 of the Revised Code, persons qualified to 2963
register or to change their registration because of a change of 2964
address or change of name may register or ~~change~~ update their 2965
registration ~~in~~ by doing any of the following: 2966

(1) Submitting a voter registration application or update 2967
form in person at any state or local office of a ~~designated~~ 2968
~~voter registration agency, at the office of the registrar or any~~ 2969
~~deputy registrar of motor vehicles, at a public high school or~~ 2970
~~vocational school, at a public library, at the office of a~~ 2971
~~county treasurer, or at a branch office established by the board~~ 2972
~~of elections, or in~~ ; 2973

(2) Submitting a voter registration application or update 2974
form in person, through another person, or by mail at the office 2975
of the secretary of state or at the office of a board of 2976
elections. ~~A registered elector may also change the elector's~~ 2977
~~registration;~~ 2978

(3) Submitting a voter registration application or update 2979
form through the online voter registration system under section 2980
3503.20 of the Revised Code; 2981

(4) Submitting a voter registration application or update 2982
form in person to the election officials on election day at any 2983
polling place ~~where the elector is eligible to vote, in the~~ 2984
~~manner provided under section 3503.16 of the Revised Code.~~ 2985
Copies of the information sheet described in division (E) (2) of 2986
section 3503.10 of the Revised Code and voter registration 2987
applications and update forms shall be available at each polling 2988

place, with the information sheets placed immediately to the 2989
left of the voter registration and update forms. The election 2990
officials shall return all completed forms, together with the 2991
pollbooks and tally sheets, to the board of elections. 2992

(5) In the case of a person who is eligible to vote as a 2993
uniformed services voter or an overseas voter in accordance with 2994
52 U.S.C. 20310, returning the person's completed voter 2995
registration application or update form electronically to the 2996
office of the secretary of state or to the board of elections of 2997
the county in which the person's voting residence is located 2998
pursuant to Chapter 3511. of the Revised Code. 2999

(B) (1) Any state or local office of a ~~designated voter~~ 3000
registration agency, ~~the office of the registrar or any deputy~~ 3001
~~registrar of motor vehicles, a public high school or vocational~~ 3002
~~school, a public library, or the office of a county treasurer,~~ 3003
other than a board of elections or the secretary of state, shall 3004
date stamp a voter registration application or update form it 3005
receives using a date stamp that does not disclose the identity 3006
of the state or local office that receives it and shall transmit 3007
any voter registration ~~the~~ application or ~~change of registration~~ 3008
form ~~that it receives~~ to the board of elections of the county in 3009
which the state or local office is located, within five days 3010
after receiving the ~~voter registration~~ application or ~~change of~~ 3011
~~registration~~ form. 3012

(2) When the secretary of state receives a voter 3013
registration application or update form, or when a board of 3014
elections receives a voter registration or update form from an 3015
applicant who resides in another county in this state, the 3016
secretary of state or the board, as applicable, shall forward 3017
the application or form to the board of elections of the county 3018

in which the applicant resides. If the secretary of state or the 3019
board receives the form before the thirtieth day before an 3020
election, the secretary of state or the board, as applicable, 3021
shall forward the form within ten days after receiving it. If 3022
the secretary of state or the board receives the form on or 3023
after the thirtieth day before an election, the secretary of 3024
state or the board, as applicable, shall forward it within 3025
thirty days after that election. 3026

(C) Except as otherwise provided in section 3503.16 of the 3027
Revised Code: 3028

(1) An otherwise valid voter registration application that 3029
is returned to the appropriate office other than by mail must be 3030
received by a state or local office of a ~~designated voter~~ 3031
~~registration agency, the office of the registrar or any deputy~~ 3032
~~registrar of motor vehicles, a public high school or vocational~~ 3033
~~school, a public library, the office of a county treasurer, the~~ 3034
~~office of the secretary of state, or the office of a board of~~ 3035
~~elections~~ no later than the thirtieth day preceding a primary, 3036
special, or general election for the person to qualify as an 3037
elector eligible to vote at that election. An otherwise valid 3038
registration application received after that day entitles the 3039
elector to vote at all subsequent elections. 3040

Any state or local office of a designated agency, the 3041
office of the registrar or any deputy registrar of motor 3042
vehicles, a public high school or vocational school, a public 3043
library, or the office of a county treasurer shall date stamp a 3044
registration application or change of name or change of address 3045
form it receives using a date stamp that does not disclose the 3046
identity of the state or local office that receives the 3047
registration. 3048

(2) Voter registration applications, if otherwise valid, 3049
that are returned by mail to the office of the secretary of 3050
state or to the office of a board of elections must be 3051
postmarked no later than the thirtieth day preceding a primary, 3052
special, or general election in order for the person to qualify 3053
as an elector eligible to vote at that election. If an otherwise 3054
valid voter registration application that is returned by mail 3055
does not bear a postmark or a legible postmark, the registration 3056
shall be valid for that election if received by the office of 3057
the secretary of state or the office of a board of elections no 3058
later than twenty-five days preceding any special, primary, or 3059
general election. 3060

~~(B)(1)~~ (D) Any person may apply in person, by telephone, 3061
by mail, or through another person for voter registration forms 3062
to the office of the secretary of state or the office of a board 3063
of elections. An information sheet described in division (E) (2) 3064
of section 3503.10 of the Revised Code shall accompany every 3065
voter registration form. An individual who is eligible to 3066
register to vote as a uniformed services voter or an overseas 3067
voter in accordance with 42 U.S.C. 1973ff-6 also may apply for 3068
voter registration forms by electronic means to the office of 3069
the secretary of state or to the board of elections of the 3070
county in which the person's voting residence is located 3071
pursuant to section 3503.191 of the Revised Code. 3072

~~(2)(a) An applicant may return the applicant's completed~~ 3073
~~registration form in person or by mail to any state or local~~ 3074
~~office of a designated agency, to a public high school or~~ 3075
~~vocational school, to a public library, to the office of a~~ 3076
~~county treasurer, to the office of the secretary of state, or to~~ 3077
~~the office of a board of elections. An applicant who is eligible~~ 3078
~~to vote as a uniformed services voter or an overseas voter in~~ 3079

~~accordance with 42 U.S.C. 1973ff-6 also may return the~~ 3080
~~applicant's completed voter registration form electronically to~~ 3081
~~the office of the secretary of state or to the board of~~ 3082
~~elections of the county in which the person's voting residence~~ 3083
~~is located pursuant to section 3503.191 of the Revised Code.~~ 3084

~~(b) Subject to division (B) (2) (c) of this section, an~~ 3085
~~applicant may return the applicant's completed registration form~~ 3086
~~through another person to any board of elections or the office~~ 3087
~~of the secretary of state.~~ 3088

~~(c) A person who receives compensation for registering a~~ 3089
~~voter shall return any registration form entrusted to that~~ 3090
~~person by an applicant to any board of elections or to the~~ 3091
~~office of the secretary of state.~~ 3092

~~(d) If a board of elections or the office of the secretary~~ 3093
~~of state receives a registration form under division (B) (2) (b)~~ 3094
~~or (c) of this section before the thirtieth day before an~~ 3095
~~election, the board or the office of the secretary of state, as~~ 3096
~~applicable, shall forward the registration to the board of~~ 3097
~~elections of the county in which the applicant is seeking to~~ 3098
~~register to vote within ten days after receiving the~~ 3099
~~application. If a board of elections or the office of the~~ 3100
~~secretary of state receives a registration form under division~~ 3101
~~(B) (2) (b) or (c) of this section on or after the thirtieth day~~ 3102
~~before an election, the board or the office of the secretary of~~ 3103
~~state, as applicable, shall forward the registration to the~~ 3104
~~board of elections of the county in which the applicant is~~ 3105
~~seeking to register to vote within thirty days after that~~ 3106
~~election.~~ 3107

~~(C) (1) A board of elections that receives a voter~~ 3108
~~registration application and is satisfied as to the truth of the~~ 3109

~~statements made in the registration form shall register the~~ 3110
~~applicant not later than twenty business days after receiving~~ 3111
~~the application, unless that application is received during the~~ 3112
~~thirty days immediately preceding the day of an election. The~~ 3113
~~board shall promptly notify the applicant in writing of each of~~ 3114
~~the following:~~ 3115

~~(a) The applicant's registration;~~ 3116

~~(b) The precinct in which the applicant is to vote;~~ 3117

~~(c) In bold type as follows:~~ 3118

~~"Voters must bring photo identification to the polls in~~ 3119
~~order to verify identity. Voters who do not provide photo~~ 3120
~~identification will still be able to vote by casting a~~ 3121
~~provisional ballot."~~ 3122

~~The notification shall be by nonforwardable mail. If the~~ 3123
~~mail is returned to the board, it shall investigate and cause~~ 3124
~~the notification to be delivered to the correct address.~~ 3125

~~(2) If, after investigating as required under division (C)~~ 3126
~~(1) of this section, the board is unable to verify the voter's~~ 3127
~~correct address, it shall cause the voter's name in the official~~ 3128
~~registration list and in the poll list or signature pollbook to~~ 3129
~~be marked to indicate that the voter's notification was returned~~ 3130
~~to the board.~~ 3131

~~At the first election at which a voter whose name has been~~ 3132
~~so marked appears to vote, the voter shall be required to vote~~ 3133
~~by provisional ballot under section 3505.181 of the Revised~~ 3134
~~Code. If the provisional ballot is counted pursuant to division~~ 3135
~~(B) (3) of section 3505.183 of the Revised Code, the board shall~~ 3136
~~correct that voter's registration, if needed, and shall remove~~ 3137
~~the indication that the voter's notification was returned from~~ 3138

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

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

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

(1) An applicant first to be provided a copy of the
information sheet described in division (E) (2) of section
3503.10 of the Revised Code, and then permitted to submit a
voter registration application to the secretary of state online
through the internet;

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

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

(i) The applicant's full name as it appears on the

applicant's Ohio driver's license or state identification card; 3168

(ii) The applicant's current residence address; 3169

(iii) The applicant's date of birth; 3170

(iv) The last four digits of the applicant's social 3171
security number; 3172

(v) The applicant's Ohio driver's license number or the 3173
number of the applicant's state identification card issued under 3174
section 4507.50 of the Revised Code. 3175

(b) The applicant's full name, current residence address, 3176
and date of birth, the last four digits of the applicant's 3177
social security number, and the applicant's Ohio driver's 3178
license number or the number of the applicant's state 3179
identification card as they are provided in the application are 3180
not inconsistent with the information on file with the bureau of 3181
motor vehicles; 3182

(c) The applicant is a United States citizen as evidenced 3183
by the bureau of motor vehicles database or a government 3184
database or commercial service that contains information 3185
verifying that the applicant has (i) a valid and unexpired 3186
United States passport or (ii) a certified copy of: United 3187
States birth certificate, certification of report of birth, 3188
consular report of birth abroad, certificate of citizenship, or 3189
certificate of naturalization, will have lived in this state for 3190
thirty days immediately preceding the next election, will be at 3191
least eighteen years of age on or before the day of the next 3192
general election, is not incarcerated for a felony conviction, 3193
has not been declared incompetent for voting purposes by a 3194
court, has not been permanently disenfranchised for violations 3195
of election laws, and is otherwise eligible to register to vote; 3196

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

(B) If an individual registers to vote or a registered elector updates the elector's name, address, or both under this section, the secretary of state shall obtain ~~an current~~ electronic copy-copies of the applicant's or elector's signature and photograph that ~~is-are~~ on file with the bureau of motor vehicles and transmit them to the board of elections. That electronic signature shall be used as the applicant's or elector's signature on voter registration records, for all election and signature-matching purposes.

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

(D) The online voter registration application established under division (A) of this section shall include the instructions described in divisions (A) (8) and (9) of section 3503.14 of the Revised Code and shall include the following language:

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

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote, or

update my voter registration, in the State of Ohio. 3226

(2) All of the information I have provided on this form is 3227
true and correct as of the date I am submitting this form. 3228

(3) I am a United States citizen who possesses (a) a valid 3229
and unexpired United States passport, or (b) a certified copy 3230
of: a United States birth certificate, a Certification of Report 3231
of Birth, a Consular Report of Birth Abroad, a Certificate of 3232
Citizenship, or a Certificate of Naturalization. 3233

(4) I will have lived in Ohio for thirty days immediately 3234
preceding the next election. 3235

(5) I will be at least eighteen years of age on or before 3236
the day of the next general election. 3237

(6) I am not incarcerated for a felony conviction. 3238

(7) I have not been declared incompetent for voting 3239
purposes by a court. 3240

(8) I am not permanently disenfranchised for violations of 3241
election laws. 3242

(9) I authorize the Bureau of Motor Vehicles to transmit 3243
to the Ohio Secretary of State my signature that is on file with 3244
the Bureau of Motor Vehicles, and I understand and agree that 3245
the signature transmitted by the Bureau of Motor Vehicles will 3246
be used by the Secretary of State to validate this electronic 3247
voter registration application as if I had signed this form 3248
personally." 3249

In order to register to vote or update a voter 3250
registration under division (A) of this section, an applicant or 3251
elector shall be required to mark the box in the online voter 3252
registration application that appears in conjunction with the 3253

previous statement. 3254

~~(E) The online voter registration process established~~ 3255
~~under division (A) of this section shall be in operation and~~ 3256
~~available for use by individuals who wish to register to vote or~~ 3257
~~update their voter registration information online not earlier~~ 3258
~~than January 1, 2017.~~ During the period beginning on the first 3259
day after the close of voter registration before an election and 3260
ending on the day of the election, the online voter registration 3261
system shall display a notice indicating that the applicant will 3262
not be registered to vote for the purposes of that election. 3263

(F) Notwithstanding section 1.50 of the Revised Code, if 3264
any provision of this section or of division ~~(E)~~(D) of section 3265
3503.14 of the Revised Code is held invalid, or if the 3266
application of any provision of this section or of that division 3267
to any person or circumstance is held invalid, then this section 3268
and that division cease to operate. 3269

Sec. 3503.201. (A) Upon receiving a voter registration or 3270
update form, the staff of the board of elections shall use the 3271
board's voter registration system and other data or information 3272
available to the board or to the secretary of state to do all of 3273
the following: 3274

(1) Verify that the form includes all of the information 3275
required under section 3503.14 of the Revised Code; 3276

(2) Verify the person's full name using the list described 3277
in division (A) (1) of section 3503.152 of the Revised Code and 3278
using records obtained from the bureau of motor vehicles and 3279
other government databases, from a commercial identity 3280
verification service, or from the secretary of state, and ensure 3281
that the name is entered into the voter registration system in a 3282

manner that complies with secretary of state directives; 3283

(3) Verify the person's date of birth using records 3284
obtained from the bureau of motor vehicles or another government 3285
database or from a commercial identity verification service and 3286
verify that the person will be eighteen years of age or older on 3287
the date of the next general election; 3288

(4) Verify that the person is a United States citizen by 3289
comparing the person's information against the information in 3290
all of the following: 3291

(a) The database of the bureau of motor vehicles, as 3292
provided by the secretary of state and accessible to the board 3293
of elections; 3294

(b) The systematic alien verification for entitlements 3295
service, or its successor service, operated by the United States 3296
department of homeland security or its successor department; 3297

(c) A government database or a commercial service that 3298
contains information derived from individuals' (i) valid and 3299
unexpired United States passports or (ii) certified copies of 3300
United States birth certificates, certifications of reports of 3301
birth, consular reports of birth abroad, certificates of 3302
citizenship, or certificates of naturalization. 3303

(5) Verify that the person's residence address is a valid 3304
residence address in accordance with section 3503.02 of the 3305
Revised Code by using the lists maintained under section 3306
3503.152 of the Revised Code of known residence addresses in 3307
each county and known addresses that are not suitable for use as 3308
residence addresses, the bureau of motor vehicles database or 3309
another government database, or a commercial address 3310
verification service and information provided by the secretary 3311

of state, and ensure that the address is entered into the voter registration system in a standardized format that is recognized by the United States postal service and complies with secretary of state directives; 3312
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(6) Verify that the person is living, using death records obtained under section 3503.153 of the Revised Code and using any other database that is available to the board of elections or the secretary of state; 3316
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(7) Verify that registering the person to vote or updating the person's voter registration record will not create a duplicate registration record for the person in the county or in another county. 3320
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(B) (1) If the board's staff are able to verify all of the elements listed in division (A) of this section, the staff shall proceed under division (C) of this section. 3324
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(2) If the board's staff are unable to verify one or more elements listed in division (A) of this section, the staff shall not register the person or update the person's registration, as applicable, but shall refer the application or update form to the board of elections for further evaluation. If the board determines that the form includes all of the information required under section 3503.14 of the Revised Code and is satisfied as to the truth of the statements made in the form, the staff shall proceed under division (C) of this section. The voter registration system shall require the board's authorization to proceed after a form has been referred to the board under this division. 3327
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(C) If the board of elections or the board's staff, as applicable, determine that the form includes all of the 3339
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information required under section 3503.14 of the Revised Code 3341
and are satisfied as to the truth of the statements made in the 3342
application or notice, the staff shall register the applicant or 3343
update the elector's registration, as applicable, not later than 3344
twenty business days after receiving the application or notice, 3345
unless that application or notice is received during the thirty 3346
days immediately preceding the day of an election. The voter 3347
registration system shall assist the staff by doing all of the 3348
following when a voter registration record is created or 3349
updated: 3350

(1) Recording all of the applicable information described 3351
in division (C) of section 3503.15 of the Revised Code; 3352

(2) Recording the elector's registration date as described 3353
in division (C) (9) of section 3503.15 of the Revised Code and 3354
preventing any person from changing the registration date; 3355

(3) Attaching a digitized copy of the person's signature 3356
to the person's voter registration record by doing one of the 3357
following, as applicable: 3358

(a) Creating an electronic image of the person's signature 3359
from a paper registration form; 3360

(b) If the voter registration or update form was submitted 3361
under section 3503.20 of the Revised Code, obtaining an 3362
electronic image of the person's signature from the database of 3363
the bureau of motor vehicles; 3364

(c) Creating or obtaining an electronic image of the 3365
signature the person's attorney in fact uses on the person's 3366
behalf as permitted under section 3501.382 of the Revised Code; 3367

(4) Obtaining a photograph of the person from the database 3368
of the bureau of motor vehicles, if available; 3369

(5) If the elector has changed residence from one county to another in this state, updating the elector's record in the statewide voter registration database and notifying the board of elections of the elector's previous county of the update. 3370
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(D) After registering an elector or updating an elector's registration, the board shall promptly send the elector an acknowledgment notice by nonforwardable mail that includes all of the following: 3374
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(1) The fact of the registration or update; 3378

(2) The precinct in which the elector is to vote; 3379

(3) In bold type as follows: 3380

"Voters must bring photo identification to the polls in order to verify identity. Eligible voters who do not provide photo identification will still be able to cast a provisional ballot." 3381
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(E)(1) If the acknowledgment notice is returned to the board, it shall investigate and cause the acknowledgment notice to be delivered to the correct address. 3385
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(2) If, after investigating, the board is unable to verify the elector's correct address, it shall do the following: 3388
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(a) Add a notation to the elector's registration record and in the pollbook to indicate that the elector's acknowledgment notice was returned to the board; and 3390
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(b) Send the elector a second acknowledgment notice with a response requested return notice by forwardable mail. 3393
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(i) If the second acknowledgment notice also is returned to the board as undeliverable, the board shall cancel the 3395
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registration and shall notify the elector by United States mail 3397
of the cancellation. 3398

(ii) If the second acknowledgment notice is not returned 3399
to the board as undeliverable, and the board does not receive a 3400
return notice response from the elector within fifteen days 3401
after sending the second acknowledgment notice, the board 3402
promptly shall send the elector a third acknowledgment notice 3403
with a response requested return notice by forwardable mail. The 3404
third acknowledgment notice shall include a message that the 3405
elector's registration will be canceled if the elector does not 3406
respond within fifteen days. If the board does not receive a 3407
return notice response from the elector within fifteen days 3408
after sending the third acknowledgment notice, the board shall 3409
cancel the registration and shall notify the elector by United 3410
States mail of the cancellation. 3411

(iii) If the elector responds to the return notice and 3412
indicates that the elector desires to be registered at a new 3413
deliverable address as indicated, the board shall update the 3414
residential address and remove the notation from the elector's 3415
registration under division (E) (2) (a) of this section. 3416

(3) At the first election at which an elector whose name 3417
is marked under division (E) (2) (a) of this section appears to 3418
vote, the elector shall be required to vote by provisional 3419
ballot under section 3505.181 of the Revised Code. If the 3420
provisional ballot is counted pursuant to division (B) (3) of 3421
section 3505.183 of the Revised Code, the board shall correct 3422
that elector's registration, if needed, and shall remove the 3423
notation from the elector's registration record and from the 3424
pollbook. If the provisional ballot is not counted pursuant to 3425
division (B) (4) (a) (i), (v), or (vi) of section 3505.183 of the 3426

Revised Code, the person's registration shall be canceled. The 3427
board shall notify the person by United States mail of the 3428
cancellation. 3429

Sec. 3503.21. (A) The registration of a registered elector 3430
shall be canceled upon the occurrence of any of the following: 3431

(1) The filing by a registered elector of a written 3432
request with a board of elections or the secretary of state, on 3433
a form prescribed by the secretary of state and signed by the 3434
elector, that the registration be canceled. The filing of such a 3435
request does not prohibit an otherwise qualified elector from 3436
reregistering to vote at any time. 3437

(2) ~~The filing death of a registered elector, as evidenced~~ 3438
~~by a notice of the death of a registered elector as provided in~~ 3439
~~report received under section 3503.18 3503.152 or 3503.153 of~~ 3440
the Revised Code; 3441

~~(3) The or by the filing with the board of elections of a~~ 3442
~~certified copy of the elector's death certificate of a~~ 3443
~~registered elector by the deceased elector's spouse, parent, or~~ 3444
~~child, by the administrator of the deceased elector's estate, or~~ 3445
~~by the executor of the deceased elector's will;~~ 3446

~~(4)~~ (3) The conviction of the registered elector of a 3447
felony under the laws of this state, any other state, or the 3448
United States as provided in section 2961.01 of the Revised 3449
Code; 3450

~~(5)~~ (4) The adjudication of incompetency of the registered 3451
elector for the purpose of voting as provided in section 3452
5122.301 of the Revised Code; 3453

~~(6) The change of residence of the registered elector to a~~ 3454
~~location outside the county of registration in accordance with~~ 3455

~~division (B) of this section;~~ 3456

~~(7) (5) (a) The failure of the registered elector, after~~ 3457
~~having been mailed a confirmation notice, to do either one or~~ 3458
~~more of the following at least once during a period of four~~ 3459
~~consecutive years, which period shall include two federal~~ 3460
~~general elections:~~ 3461

~~(a) (i) Respond to such a confirmation notice and vote at~~ 3462
~~least once during a period of four consecutive years, which~~ 3463
~~period shall include two general federal elections;~~ 3464

~~(b) (ii) Update the elector's registration and vote at~~ 3465
~~least once during a period of four consecutive years, which~~ 3466
~~period shall include two general federal elections by submitting~~ 3467
~~a voter registration update form;~~ 3468

~~(iii) Vote in an election.~~ 3469

~~(8) (b) The registration of a registered elector shall be~~ 3470
 ~~canceled within thirty days following the expiration of the~~ 3471
 ~~four-year period described in division (A) (5) (a) of this section~~ 3472
 ~~or within thirty days after the results of the most recent~~ 3473
 ~~election are certified, whichever is later.~~ 3474

~~(6) The receipt by the board of elections of a~~ 3475
 ~~cancellation notice or request pursuant to section 111.44 of the~~ 3476
 ~~Revised Code.~~ 3477

~~(B) (1) The secretary of state shall prescribe procedures~~ 3478
 ~~to identify and cancel the registration in a prior county of~~ 3479
 ~~residence of any registrant who changes the registrant's voting~~ 3480
 ~~residence to a location outside the registrant's current county~~ 3481
 ~~of registration. Any procedures prescribed in this division~~ 3482
 ~~shall be uniform and nondiscriminatory, and shall comply with~~ 3483
 ~~the Voting Rights Act of 1965. The secretary of state may~~ 3484

~~prescribe procedures under this division that include the use of the national change of address service provided by the United States postal system through its licensees. Any program so prescribed shall be completed not later than ninety days prior to the date of any primary or general election for federal office.~~

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

~~(C) i~~

(7) A determination by the board of elections that the person is not a United States citizen;

(8) The elector's acknowledgment notice issued once the elector registered to vote being returned to the board as undeliverable, and a subsequent acknowledgment notice with a response request also being returned to the board as undeliverable;

(9) The elector's acknowledgment notice issued once the elector registered to vote being returned to the board as undeliverable, and the elector failing to return two subsequent acknowledgment notices with response requests to the board;

(10) The elector having been permanently disenfranchised for violations of election laws;

(11) The elector appearing in another state's voter registration database and also on a United States postal service national change of address service reference list maintained by the secretary of state under section 3503.152 of the Revised Code; 3514
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(12) The elector being reported as a bureau of motor vehicles customer who has applied for a license in another state and also appearing on a United States postal service national change of address service reference list maintained by the secretary of state under section 3503.152 of the Revised Code; 3519
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(13) The rejection of a provisional ballot pursuant to division (E) (3) of section 3503.201 of the Revised Code; 3524
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(14) A successful challenge of an elector's right to vote pursuant to section 3503.24 of the Revised Code; 3526
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(15) As required by any provision of this title. 3528

(B) The registration of a registered elector shall not be canceled except as provided in this section, ~~section 111.44 of the Revised Code, division (Q) of section 3501.05 of the Revised Code, division (C) (2) of section 3503.19 of the Revised Code, or division (C) of section 3503.24 of the Revised Code.~~ 3529
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~~(D) Boards of elections shall send their voter registration information to the secretary of state as required under section 3503.15 of the Revised Code. The secretary of state may prescribe by rule adopted pursuant to section 111.15 of the Revised Code the format in which the boards of elections must send that information to the secretary of state. In the first quarter of each year, the secretary of state shall send the information to the national change of address service described in division (B) of this section and request that~~ 3534
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~~service to provide the secretary of state with a list of any voters sent by the secretary of state who have moved within the last twelve months. The secretary of state shall transmit to each appropriate board of elections whatever lists the secretary of state receives from that service. The board shall send a notice to each person on the list transmitted by the secretary of state requesting confirmation of the person's change of address, together with a postage prepaid, preaddressed return envelope containing a form on which the voter may verify or correct the change of address information.~~

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

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

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

Sec. 3503.231. (A) For each election, the board of

elections shall provide pollbooks to be used in each precinct 3573
and at the office of the board of elections during in-person 3574
absent voting, based on the official registration lists prepared 3575
under section 3503.23 of the Revised Code. If the board chooses 3576
to use electronic pollbooks, the board also shall provide a 3577
printed copy of the pollbook for each precinct in which 3578
electronic pollbooks are used. 3579

(B) Except as otherwise provided in section 111.44 of the 3580
Revised Code, a pollbook shall include, at a minimum, all of the 3581
following concerning each elector in the precinct or precincts 3582
for which the pollbook is to be used: 3583

(1) The elector's full name; 3584

(2) The elector's date of birth; 3585

(3) The elector's current residence address; 3586

(4) The elector's precinct number and polling place; 3587

(5) The elector's Ohio driver's license or state 3588
identification card number, if available; 3589

(6) The last four digits of the elector's social security 3590
number, if available; 3591

(7) The elector's voter registration record identification 3592
number; 3593

(8) An image of the elector's signature or the signature 3594
of the elector's attorney in fact, as described in division (C) 3595
(3) of section 3503.201 of the Revised Code; 3596

(9) In the case of a primary election, the political 3597
party, if any, whose ballot the elector voted in the most recent 3598
primary election within the current year and the immediately 3599

preceding two calendar years; 3600

(10) Any applicable notation made under division (E) (2) (a) 3601
of section 3503.201 of the Revised Code that the elector's 3602
acknowledgment notice was returned to the office of the board; 3603

(11) Any applicable notation under section 3509.051 or 3604
3509.09 of the Revised Code that the elector has requested or 3605
cast absent voter's ballots in the election. 3606

(C) (1) Before preparing the pollbooks for an election, and 3607
before conducting the canvass of the results of the election, 3608
the board of elections shall compare the information in its 3609
voter registration database against the ledger described in 3610
division (A) (7) of section 3506.053 of the Revised Code to 3611
confirm the accuracy of the registration records used in the 3612
election. 3613

(2) The pollbooks shall have certificates appropriately 3614
printed on them for the signatures of all the precinct 3615
officials, by which they shall certify that, to the best of 3616
their knowledge and belief, the pollbooks correctly show the 3617
names of all electors who voted in the polling place at the 3618
election indicated in the pollbooks and that the pollbooks at 3619
the polling place contain the same number of registered electors 3620
in each precinct at the closing of the polls as were in the 3621
pollbook for that precinct at the opening of the polls. 3622

(D) A board of elections may adopt the use of electronic 3623
pollbooks that have been certified for use in this state in 3624
accordance with section 3506.05 of the Revised Code, instead of 3625
using paper pollbooks. A board of elections that opts to use 3626
electronic pollbooks shall notify the secretary of state of that 3627
decision. The secretary of state shall provide each board of 3628

elections that adopts the use of electronic pollbooks with 3629
rules, instructions, directives, and advisories regarding the 3630
examination, testing, and use of electronic pollbooks, including 3631
rules regarding the sealing of the information in those 3632
pollbooks as required under section 3505.31 of the Revised Code. 3633

Sec. 3503.24. (A) Application for the correction of any 3634
~~precinct elector's~~ registration list or a challenge of the right 3635
to vote of any registered elector may be made by any qualified 3636
elector in the state at the office of the board of elections not 3637
later than the thirtieth day before the day of the election. The 3638
applications or challenges, with the reasons for the application 3639
or challenge, shall be filed with the board in person ~~or~~, by 3640
mail, or by electronic mail on a form prescribed by the 3641
secretary of state and shall be signed under penalty of election 3642
falsification. An elector may challenge the right to vote of 3643
multiple electors by filing a single document that identifies 3644
each elector whose right to vote is challenged. 3645

(B) On receiving an application or challenge filed under 3646
this section, the board of elections promptly shall review the 3647
board's records. If the board is able to determine that an 3648
application or challenge should be granted or denied solely on 3649
the basis of the records maintained by the board, the board 3650
immediately shall vote to grant or deny that application or 3651
challenge. 3652

If the board is not able to determine whether an 3653
application or challenge should be granted or denied solely on 3654
the basis of the records maintained by the board, the director 3655
shall promptly set a time and date for a hearing before the 3656
board. The hearing shall be held, and the application or 3657
challenge shall be decided, no later than ten days after the 3658

board receives the application or challenge. The director shall 3659
send written notice to any elector whose right to vote is 3660
challenged and to any person whose name is alleged to have been 3661
omitted from a registration list. The notice shall inform the 3662
person of the time and date of the hearing, and of the person's 3663
right to appear and testify, call witnesses, and be represented 3664
by counsel. The notice shall be sent by first class mail no 3665
later than three days before the day of any scheduled hearing. 3666
Except as otherwise provided in division (D) of this section, 3667
the director shall also provide the person who filed the 3668
application or challenge with such written notice of the date 3669
and time of the hearing. 3670

At the request of either party or any member of the board, 3671
the board shall issue subpoenas to witnesses to appear and 3672
testify before the board at a hearing held under this section. 3673
All witnesses shall testify under oath. The board shall reach a 3674
decision on all applications and challenges immediately after 3675
hearing. 3676

(C) If the board decides that any such person is not 3677
entitled to have the person's name on the registration list, the 3678
person's name shall be removed from the list and the person's 3679
registration forms canceled. If the board decides that the name 3680
of any such person should appear on the registration list, it 3681
shall be added to the list, and the person's registration forms 3682
placed in the proper registration files. All such corrections 3683
and additions shall be made on ~~a copy of the precinct~~ 3684
~~registration lists, which shall constitute the poll lists, to be~~ 3685
~~furnished to the respective precincts with other election-~~ 3686
~~supplies on the day preceding the election, to be used by the~~ 3687
~~election officials in receiving the signatures of voters and in~~ 3688
~~checking against the registration forms and included in the~~ 3689

pollbooks for the election. If the board decides that a person 3690
is entitled to be registered to vote, for purposes of the next 3691
election, the board shall notify the voting location manager for 3692
the person's polling place in writing of the nature of the 3693
challenge and the board's decision. 3694

(D) If an elector who is the subject of an application or 3695
challenge hearing has a confidential voter registration record, 3696
as described in section 111.44 of the Revised Code, all of the 3697
following apply: 3698

(1) If the elector's right to vote has been challenged, 3699
the person who filed the challenge shall not receive notice of 3700
the date and time of any hearing held concerning the challenge, 3701
shall not be permitted to attend the hearing, and shall not 3702
receive notice of the disposition of the challenge. 3703

(2) If the elector is the subject of an application for 3704
the correction of the precinct registration list and the elector 3705
is not the person who filed the application, the person who 3706
filed the application shall not receive notice of the date and 3707
time of any hearing held concerning the application, shall not 3708
be permitted to attend the hearing, and shall not receive notice 3709
of the disposition of the application. 3710

(3) Notwithstanding section 121.22 of the Revised Code, 3711
any hearing held concerning the application or challenge shall 3712
not be open to the public. 3713

(4) Any records created as a result of the application or 3714
challenge that include the elector's residence address or 3715
precinct shall not be open to public inspection. 3716

Sec. 3503.26. (A) All registration forms and lists, when 3717
not in official use by the ~~registrars or precinct~~ election 3718

officials, shall be in the possession of the board of elections. 3719
~~Names and addresses of electors may be copied from the~~ 3720
~~registration lists only in the office of the board when it is~~ 3721
~~open for business; but no such copying shall be permitted during~~ 3722
~~the period of time commencing twenty one days before an election~~ 3723
~~and ending on the eleventh day after an election if such copying~~ 3724
~~will, in the opinion of the board, interfere with the necessary~~ 3725
~~work of the board.~~ Except as provided in section 111.44 of the 3726
Revised Code, the board shall keep in convenient form and 3727
available for public inspection a correct set of the 3728
registration lists of all precincts in the county. 3729

~~(B) Notwithstanding division (A) of this section, and~~ 3730
~~except as provided in section 111.44 of the Revised Code, the~~ 3731
~~board of elections shall maintain and make available for public~~ 3732
~~inspection and copying at a reasonable cost all records~~ 3733
~~concerning the implementation of programs and activities~~ 3734
~~conducted for the purpose of ensuring the accuracy and currency~~ 3735
~~of voter registration lists, including the names and addresses~~ 3736
~~of all registered electors sent confirmation notices and whether~~ 3737
~~or not the elector responded to the confirmation notice. The~~ 3738
~~board shall maintain all records described in this division for~~ 3739
~~a period of two years.~~The servers and other equipment associated 3740
with the voter registration system used by a board of elections 3741
shall be physically located in a facility in this state that is 3742
under the board's control. 3743

(C) Any person who has the authority to administer, or 3744
create, modify, or cancel any record in, a voter registration 3745
system shall be a United States citizen and a resident of this 3746
state and shall have no criminal record involving dishonesty, 3747
moral turpitude, or any violation of election or immigration 3748
laws. 3749

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

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

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

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

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

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

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

"Voters must bring photo identification to the polls in order to verify identity. ~~Voters~~ Eligible voters who do not provide photo identification will still be able to ~~vote by~~ east ~~ing~~ cast a provisional ballot."

(7) A copy of the information sheet described in division (E) (2) of section 3503.10 of the Revised Code.

(B) Except as otherwise provided in division (D) of this section, a ~~board of elections, designated voter registration agency, public high school, public vocational school, public~~

~~library, office of a county treasurer, or deputy registrar of~~ 3778
~~motor vehicles~~ shall distribute a copy of the brochure developed 3779
under division (A) of this section to any person who requests 3780
more than two voter registration forms at one time. 3781

(C) (1) The secretary of state shall provide the 3782
information required to be included in the brochure developed 3783
under division (A) of this section to any person who prints a 3784
voter registration form that is made available on a web site of 3785
the office of the secretary of state. 3786

(2) If a board of elections operates and maintains a web 3787
site, the board shall provide the information required to be 3788
included in the brochure developed under division (A) of this 3789
section to any person who prints a voter registration form that 3790
is made available on that web site. 3791

(D) A board of elections shall not be required to 3792
distribute a copy of a brochure under division (B) of this 3793
section to any of the following officials or employees who are 3794
requesting more than two voter registration forms at one time in 3795
the course of the official's or employee's normal duties: 3796

(1) An election official or an employee of an election 3797
official; 3798

(2) ~~A county treasurer;~~ 3799

~~(3) A deputy registrar of motor vehicles;~~ 3800

~~(4) An employee of a designated voter registration agency;~~ 3801

~~(5) An employee of a public high school;~~ 3802

~~(6) An employee of a public vocational school;~~ 3803

~~(7) An employee of a public library;~~ 3804

- ~~(8) An employee of the office of a county treasurer;~~ 3805
- ~~(9) An employee of the bureau of motor vehicles;~~ 3806
- ~~(10) An employee of a deputy registrar of motor vehicles;~~ 3807
- ~~(11) An employee of an election official.~~ 3808

(E) As used in this section, "registering voters" includes 3809
any effort, for compensation, to provide voter registration 3810
forms or to assist persons in completing or returning those 3811
forms. 3812

Sec. 3503.29. (A) The secretary of state shall develop and 3813
make available through a web site of the office of the secretary 3814
of state a training program for any person who receives or 3815
expects to receive compensation for registering a voter. The 3816
secretary of state shall specify, by rule adopted pursuant to 3817
Chapter 119. of the Revised Code, the information to be included 3818
in the online training program developed under this division. 3819

(B) Except as otherwise provided in division (E) of this 3820
section, the secretary of state, by rules adopted pursuant to 3821
Chapter 119. of the Revised Code, shall prescribe a program 3822
under which the secretary of state shall register any person who 3823
receives or expects to receive compensation for registering a 3824
voter in this state. 3825

(C) Except as otherwise provided in division (E) of this 3826
section, in each year in which a person receives or expects to 3827
receive compensation for registering a voter, that person, prior 3828
to registering a voter, shall do all of the following: 3829

(1) Register with the secretary of state in accordance 3830
with the program prescribed under division (B) of this section; 3831

(2) Complete the training program established by the 3832

secretary of state under division (A) of this section.	3833
(3) Sign an affirmation that includes all of the following:	3834
(a) The person's name;	3835
(b) The person's date of birth;	3836
(c) The person's permanent address;	3837
(d) The name of each county in which the person expects to register voters;	3838
(e) A statement that the person has registered, as required under division (C) (1) of this section, with the secretary of state;	3839
(f) A statement that the person has completed the training program required under division (C) (2) of this section;	3840
(g) A statement that the person will follow all applicable laws of this state while registering voters.	3841
(D) Except as otherwise provided in division (E) of this section, each time a person who receives or expects to receive compensation for registering a voter submits a completed registration form that has been entrusted to that person to a board of elections, the person also shall submit, with the voter registration form, a copy of the affirmation signed by the person under division (C) (3) of this section. A single copy of the signed affirmation may be submitted with all voter registration forms that are returned by that person at one time.	3842
(E) None of the following officials or employees who are registering voters in the course of the official's or employee's normal duties shall be required to comply with divisions (C) and	3843
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(D) of this section: 3860

(1) An election official or an employee of an election 3861
official; 3862

~~(2) A county treasurer;~~ 3863

~~(3) A deputy registrar of motor vehicles;~~ 3864

~~(4) An employee of a designated voter registration agency;~~ 3865

~~(5) An employee of a public high school;~~ 3866

~~(6) An employee of a public vocational school;~~ 3867

~~(7) An employee of a public library;~~ 3868

~~(8) An employee of the office of a county treasurer;~~ 3869

~~(9) An employee of the bureau of motor vehicles;~~ 3870

~~(10) An employee of a deputy registrar of motor vehicles;~~ 3871

~~(11) An employee of an election official.~~ 3872

(F) As used in this section, "registering a voter" and 3873

"registering voters" includes any effort, for compensation, to 3874

provide voter registration forms or to assist persons in 3875

completing or returning those forms. 3876

Sec. 3503.33. If an elector applying for registration is 3877

already registered in another state or in another county within 3878

this state, the ~~elector shall declare this fact to the~~ 3879

~~registration officer and shall sign~~ new registration form 3880

operates as an authorization to cancel the previous registration 3881

~~on a form prescribed by the secretary of state.~~ 3882

~~The director of the~~ If the registration form includes the 3883

elector's previous residence address outside this state, the 3884

board of elections shall ~~mail all such authorizations~~ transmit a 3885

copy of the elector's new registration form to the board of 3886
elections or comparable agency of the proper state and county. 3887
~~Upon the receipt of this authorization from the forwarding~~ 3888
~~county, the director of a board of elections in Ohio, upon a~~ 3889
~~comparison of the elector's signature with the elector's~~ 3890
~~signature as it appears on the registration files, shall remove~~ 3891
~~the elector's registration from the files, and place it with the~~ 3892
~~cancellation authorization in a separate file which shall be~~ 3893
~~kept for a period of two calendar years. The board shall notify~~ 3894
~~the elector at the present address as shown on the cancellation~~ 3895
~~authorization that his registration has been canceled.~~ 3896

Sec. 3505.18. (A) (1) When an elector appears in a polling 3897
place to vote, the elector shall announce to the precinct 3898
election officials the elector's full name and current address 3899
and provide photo identification. 3900

(2) If an elector does not have or is unable to provide 3901
photo identification to the precinct election officials, the 3902
elector may cast a provisional ballot under section 3505.181 of 3903
the Revised Code. 3904

~~(B)~~ (B) (1) After the elector has announced the elector's 3905
full name and current residence address and provided photo 3906
identification, the elector shall confirm the elector's name and 3907
address by signing the elector's name at the proper place in the 3908
~~poll list or signature pollbook provided for the purpose, except~~ 3909
that if, for any reason, an elector is unable to sign the 3910
elector's name in the ~~poll list or signature pollbook~~, the 3911
elector may make the elector's mark at the place intended for 3912
the elector's name, and a precinct election official shall write 3913
the name of the elector at the proper place ~~on in the poll list~~ 3914
~~or signature pollbook~~ following the elector's mark. The making 3915

of such a mark shall be attested by the precinct election 3916
official, who shall evidence the same by signing the precinct 3917
election official's name ~~on in the poll list or signature~~ 3918
pollbook as a witness to the mark. Alternatively, if applicable, 3919
an attorney in fact acting pursuant to section 3501.382 of the 3920
Revised Code may sign the elector's signature in the ~~poll list~~ 3921
~~or signature~~ pollbook in accordance with that section. 3922

(2) The precinct election officials shall compare the 3923
elector's or attorney in fact's signature in the poll list or 3924
signature pollbook then shall be compared under division (B) (1) 3925
of this section with the image of the elector's or attorney in 3926
fact's signature on the elector's registration form or a 3927
digitized signature list as provided for in section 3503.13 of 3928
the Revised Code, and if, in the opinion of a majority of the 3929
precinct election officials, the signatures are the signatures 3930
of the same person, the election officials shall enter the date 3931
of the election on the registration form or shall record the 3932
date by other means prescribed by the secretary of state 3933
included in the pollbook and shall compare the elector's 3934
appearance with the photograph of the elector on the elector's 3935
photo identification. The validity of an attorney in fact's 3936
signature on behalf of an elector shall be determined in 3937
accordance with section 3501.382 of the Revised Code. 3938

(3) If the right of the elector to vote is not then 3939
challenged under section 3505.20 of the Revised Code, or, if 3940
being challenged, the elector establishes the elector's right to 3941
vote, the elector shall be allowed to proceed to use the voting 3942
machine vote. If 3943

(C) If voting machines are not being used in that 3944
precinct, the precinct election official in charge of ballots 3945

shall then detach the next ballots to be issued to the elector 3946
from Stub B attached to each ballot, leaving Stub A attached to 3947
each ballot, hand the ballots to the elector, and call the 3948
elector's name and the stub number on each of the ballots. The 3949
precinct election official shall enter the stub numbers opposite 3950
the signature of the elector in the pollbook. The elector shall 3951
then retire to one of the voting compartments to mark the 3952
elector's ballots. No mark shall be made on any ballot which 3953
would in any way enable any person to identify the person who 3954
voted the ballot. 3955

Sec. 3505.181. (A) All of the following individuals shall 3956
be permitted to cast a provisional ballot at an election: 3957

(1) An individual who declares that the individual is a 3958
registered voter in the precinct in which the individual desires 3959
to vote and that the individual is eligible to vote in an 3960
election, but the name of the individual does not appear ~~on~~in 3961
the ~~official list of eligible voters for the precinct~~ pollbook 3962
or an election official asserts that the individual is not 3963
eligible to vote; 3964

(2) An individual who does not have or is unable to 3965
provide photo identification to the election officials; 3966

(3) An individual whose name in the ~~poll list or signature~~ 3967
pollbook has been marked under section 3509.09 ~~or 3511.13~~ of the 3968
Revised Code as having requested an absent voter's ballot or a 3969
uniformed services or overseas absent voter's ballot for that 3970
election and who appears to vote at the polling place; 3971

(4) An individual whose notification of registration has 3972
been returned undelivered to the board of elections and whose 3973
name in the ~~official registration list and in the poll list or~~ 3974

~~signature~~ pollbook has been marked under division ~~(C) (2)~~ (E) (2) 3975
of section ~~3503.19~~ 3503.201 of the Revised Code; 3976

(5) An individual who has been successfully challenged 3977
under section 3505.20 or ~~3513.20~~ 3513.19 of the Revised Code; 3978

(6) An individual who changes the individual's name and 3979
remains within the precinct without providing proof of that name 3980
change under division (B) (1) (b) of section 3503.16 of the 3981
Revised Code, moves from one precinct to another within a 3982
county, moves from one precinct to another and changes the 3983
individual's name, or moves from one county to another within 3984
the state, and completes and signs the required forms and 3985
statements under division (B) or (C) of section 3503.16 of the 3986
Revised Code; 3987

(7) An individual whose ~~signature, in the opinion of the~~ 3988
~~precinct officers under section 3505.22 of the Revised Code, is~~ 3989
~~not that of the person who signed that name in the registration~~ 3990
~~forms~~ pollbook has been marked under division (A) (4) (b) (i) of 3991
section 3503.153 of the Revised Code. 3992

(B) An individual who is eligible to cast a provisional 3993
ballot under division (A) of this section shall be permitted to 3994
cast a provisional ballot as follows: 3995

(1) An election official at the polling place shall notify 3996
the individual that the individual may cast a provisional ballot 3997
in that election. 3998

(2) Except as otherwise provided in division (F) of this 3999
section, the individual shall complete and execute a written 4000
affirmation before an election official at the polling place 4001
stating that the individual is both of the following: 4002

(a) A registered voter in the precinct in which the 4003

individual desires to vote; 4004

(b) Eligible to vote in that election. 4005

(3) An election official at the polling place shall 4006
transmit the ballot cast by the individual and the voter 4007
information contained in the written affirmation executed by the 4008
individual under division (B) (2) of this section to an 4009
appropriate local election official for verification under 4010
division (B) (4) of this section. 4011

(4) If the appropriate local election official to whom the 4012
ballot or voter or address information is transmitted under 4013
division (B) (3) of this section determines that the individual 4014
is eligible to vote, the individual's provisional ballot shall 4015
be counted as a vote in that election. 4016

(5) (a) At the time that an individual casts a provisional 4017
ballot, the appropriate local election official shall give the 4018
individual written information that states that any individual 4019
who casts a provisional ballot will be able to ascertain under 4020
the system established under division (B) (5) (b) of this section 4021
whether the vote was counted, and, if the vote was not counted, 4022
the reason that the vote was not counted. 4023

(b) The appropriate state or local election official shall 4024
establish a free access system, in the form of a toll-free 4025
telephone number, that any individual who casts a provisional 4026
ballot may access to discover whether the vote of that 4027
individual was counted, and, if the vote was not counted, the 4028
reason that the vote was not counted. The free access system 4029
established under this division also shall provide to an 4030
individual whose provisional ballot was not counted information 4031
explaining how that individual may contact the board of 4032

elections to register to vote or to resolve problems with the 4033
individual's voter registration. 4034

The appropriate state or local election official shall 4035
establish and maintain reasonable procedures necessary to 4036
protect the security, confidentiality, and integrity of personal 4037
information collected, stored, or otherwise used by the free 4038
access system established under this division. The system shall 4039
permit an individual only to gain access to information about 4040
the individual's own provisional ballot. 4041

(6) If, at the time that an individual casts a provisional 4042
ballot, the individual provides photo identification, the 4043
individual shall record the type of identification provided on 4044
the provisional ballot affirmation and, if the individual 4045
provides an Ohio driver's license, state identification card, or 4046
interim identification document, the individual also shall write 4047
the individual's driver's license or state identification card 4048
number on the provisional ballot affirmation. 4049

(7) (a) For a provisional ballot to be eligible to be 4050
counted when it is cast by an individual who does not have photo 4051
identification because the individual has a religious objection 4052
to being photographed, the individual shall complete an 4053
affidavit of religious objection under section 3505.19 of the 4054
Revised Code. The election officials shall attach the affidavit 4055
to the individual's provisional ballot envelope. If the 4056
individual does not complete the affidavit at the time of 4057
casting the provisional ballot, the individual may appear at the 4058
office of the board of elections within four days after the day 4059
of the election and complete the affidavit. 4060

(b) For a provisional ballot to be eligible to be counted 4061
when it is cast by any other individual who does not have or is 4062

unable to provide photo identification to the election 4063
officials, the individual who cast that ballot, within four days 4064
after the day of the election, shall appear at the office of the 4065
board of elections and provide photo identification. 4066

(8) For a provisional ballot cast by an individual who has 4067
been successfully challenged under section 3505.20 of the 4068
Revised Code to be eligible to be counted, the individual who 4069
cast that ballot, within four days after the day of that 4070
election, shall provide to the board of elections any 4071
identification or other documentation required to be provided by 4072
the applicable challenge questions asked of that individual 4073
under section 3505.20 of the Revised Code. 4074

(9) For a provisional ballot cast by an individual whose 4075
name in the pollbook has been marked under division (A) (4) (b) (i) 4076
of section 3503.153 of the Revised Code to be eligible to be 4077
counted, the individual who cast that ballot, within four days 4078
after the day of that election, shall provide one of the 4079
following to the board of elections: 4080

(a) A valid and unexpired United States passport; 4081

(b) A certified copy of one of the following: a United 4082
States birth certificate, certification of report of birth, 4083
consular report of birth abroad, certificate of citizenship, or 4084
certificate of naturalization. 4085

(C) (1) If an individual declares that the individual is 4086
eligible to vote in a precinct other than the precinct in which 4087
the individual desires to vote, or if, upon review of the 4088
precinct voting location guide using the residential street 4089
address provided by the individual, an election official at the 4090
precinct at which the individual desires to vote determines that 4091

the individual is not eligible to vote in that precinct, the 4092
election official shall direct the individual to the precinct 4093
and polling place in which the individual appears to be eligible 4094
to vote, explain that the individual may cast a provisional 4095
ballot at the current location but the ballot or a portion of 4096
the ballot will not be counted if it is cast in the wrong 4097
precinct, and provide the telephone number of the board of 4098
elections in case the individual has additional questions. 4099

(2) If the individual refuses to travel to the correct 4100
precinct or to the office of the board of elections to cast a 4101
ballot, the individual shall be permitted to vote a provisional 4102
ballot at that precinct in accordance with division (B) of this 4103
section. If the individual is in the correct polling location 4104
for the precinct in which the individual is registered and 4105
eligible to vote, the election official shall complete and sign, 4106
under penalty of election falsification, a form that includes 4107
all of the following, and attach the form to the individual's 4108
provisional ballot affirmation: 4109

(a) The name or number of the individual's correct 4110
precinct; 4111

(b) A statement that the election official instructed the 4112
individual to travel to the correct precinct to vote; 4113

(c) A statement that the election official informed the 4114
individual that casting a provisional ballot in the wrong 4115
precinct would result in all or a portion of the votes on the 4116
ballot being rejected; 4117

(d) The name or number of the precinct in which the 4118
individual is casting a provisional ballot; and 4119

(e) The name of the polling location in which the 4120

individual is casting a provisional ballot. 4121

(D) The appropriate local election official shall cause 4122
voting information to be publicly posted at each polling place 4123
on the day of each election. 4124

(E) As used in this section and sections 3505.182 and 4125
3505.183 of the Revised Code: 4126

(1) "Precinct voting location guide" means either of the 4127
following: 4128

(a) An electronic or paper record that lists the correct 4129
precinct and polling place for either each specific residential 4130
street address in the county or the range of residential street 4131
addresses located in each neighborhood block in the county; 4132

(b) Any other method that a board of elections creates 4133
that allows a precinct election official or any elector who is 4134
at a polling place in that county to determine the correct 4135
precinct and polling place of any qualified elector who resides 4136
in the county. 4137

(2) "Voting information" means all of the following: 4138

(a) A sample version of the ballot that will be used for 4139
that election; 4140

(b) Information regarding the date of the election and the 4141
hours during which polling places will be open; 4142

(c) Instructions on how to vote, including how to cast a 4143
vote and how to cast a provisional ballot; 4144

(d) Instructions for mail-in registrants and first-time 4145
voters under applicable federal and state laws; 4146

(e) General information on voting rights under applicable 4147

federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;

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

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

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

"Provisional Ballot Affirmation

(A) Clearly print your full name+ as it appears on your Ohio driver's license or state identification card. If you do not have one, provide your full name as it appears on the affidavit of religious objection to being photographed that you submit. _____

(B) Write your date of birth: _____

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

_____ 4177
_____ 4178

(2) Have you moved without updating your voter registration?: 4179
4180

Yes _____ No _____ 4181

If yes, write your former residence address: 4182
_____ 4183
_____ 4184

Failure to provide your former residence address will not cause your provisional ballot to be rejected. 4185
4186

(D) (1) You must show photo identification to the election official that includes your name and photograph and is not expired. Check the type of photo identification you provided: 4187
4188
4189

_____ An Ohio driver's license or state identification card or an interim identification form issued by the Bureau of Motor Vehicles. If you showed your Ohio driver's license or state identification card or an interim identification form, write your full driver's license or state identification card number: _____ 4190
4191
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_____ A United States passport or passport card; 4196

_____ A United States military identification card, Ohio national guard identification card, or United States department of veterans affairs identification card. 4197
4198
4199

(2) If you do not have photo identification because you have a religious objection to being photographed, complete an affidavit of religious objection. The precinct election official will attach it to the provisional ballot envelope. 4200
4201
4202
4203

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

(4) If you need to update your voter registration, you may provide additional information below. This information will not be used for ballot counting purposes.

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

~~Write~~ If you do not have an Ohio driver's license or state identification card and you submit a valid affidavit of religious objection to being photographed, write the last four digits of your Social Security number: _____

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

(F) Sign and date the following statement:

I solemnly swear or affirm that I am a citizen of the United States, as evidenced by (1) a valid and unexpired United States passport, or (2) a certified copy of: U.S. birth certificate, Certification of Report of Birth, Consular Report of Birth Abroad, Certificate of Citizenship, or Certificate of Naturalization; that I will be at least 18 years of age at the time of the general election; that I have lived in this state for 30 days immediately preceding this election in which I am voting this ballot; that I am a registered voter in the precinct

in which I am voting this provisional ballot; and that I am 4233
eligible to vote in the election in which I am voting this 4234
provisional ballot. 4235

I understand that, if the information I provide on this 4236
provisional ballot affirmation is not fully completed and 4237
correct, if the board of elections determines that I am not 4238
registered to vote, a resident of this precinct, or eligible to 4239
vote in this election, or if the board of elections determines 4240
that I have already voted in this election, my provisional 4241
ballot will not be counted. I understand that, if I am not 4242
currently registered to vote or if I am not registered at my 4243
current address or under my current name, this form will serve 4244
as an application to register to vote or update my registration 4245
for future elections, as long as I provide all of the 4246
information required to register to vote or update my 4247
registration. I further understand that knowingly providing 4248
false information is a violation of law and subjects me to 4249
possible criminal prosecution. 4250

I hereby declare, under penalty of election falsification, 4251
that the above statements are true and correct to the best of my 4252
knowledge and belief. 4253

_____ 4254

Signature of Voter 4255

_____ 4256

Date 4257

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 4258
FELONY OF THE FIFTH DEGREE." 4259

In addition to any information required to be included on 4260

the written affirmation, an individual casting a provisional 4261
ballot may provide additional information to the election 4262
official to assist the board of elections in determining the 4263
individual's eligibility to vote in that election, including the 4264
date and location at which the individual registered to vote, if 4265
known. 4266

If the individual provided all of the information required 4267
under section 3503.14 of the Revised Code to register to vote or 4268
to update the individual's registration on the provisional 4269
ballot affirmation, the board of elections shall consider the 4270
individual's provisional ballot affirmation to also serve as a 4271
~~notice of change of name, change of residence, or both, or as a~~ 4272
voter registration or update form, as applicable, for that 4273
individual only for the purposes of future elections. 4274

Sec. 3505.183. (A) When the ballot boxes are delivered to 4275
the board of elections from the precincts, the board shall 4276
separate the provisional ballot envelopes from the rest of the 4277
ballots. Teams of employees of the board consisting of one 4278
member of each major political party shall place the sealed 4279
provisional ballot envelopes in a secure location within the 4280
office of the board. The sealed provisional ballot envelopes 4281
shall remain in that secure location until the validity of those 4282
ballots is determined under division (B) of this section. While 4283
the provisional ballot is stored in that secure location, and 4284
prior to the counting of the provisional ballots, if the board 4285
receives information regarding the validity of a specific 4286
provisional ballot under division (B) of this section, the board 4287
may note, on the sealed provisional ballot envelope for that 4288
ballot, whether the ballot is valid and entitled to be counted. 4289

(B) (1) To determine whether a provisional ballot is valid 4290

and entitled to be counted, the board shall examine its records 4291
and determine whether the individual who cast the provisional 4292
ballot is registered and eligible to vote in the applicable 4293
election. The board shall examine the information contained in 4294
the written affirmation executed by the individual who cast the 4295
provisional ballot under division (B) (2) of section 3505.181 of 4296
the Revised Code. The following information shall be included in 4297
the written affirmation in order for the provisional ballot to 4298
be eligible to be counted: 4299

(a) The individual's printed name, signature, date of 4300
birth, and current address; 4301

(b) A statement that the individual is a registered voter 4302
in the precinct in which the provisional ballot is being voted; 4303

(c) A statement that the individual is eligible to vote in 4304
the election in which the provisional ballot is being voted. 4305

(2) In addition to the information required to be included 4306
in an affirmation under division (B) (1) of this section, in 4307
determining whether a provisional ballot is valid and entitled 4308
to be counted, the board also shall examine any additional 4309
information for determining ballot validity provided by the 4310
provisional voter on the affirmation, provided by the 4311
provisional voter to an election official under section 3505.182 4312
of the Revised Code, or provided to the board of elections 4313
during the four days after the day of the election under 4314
division (B) (7) or (8) of section 3505.181 of the Revised Code, 4315
to assist the board in determining the individual's eligibility 4316
to vote. 4317

(3) If, in examining a provisional ballot affirmation and 4318
additional information under divisions (B) (1) and (2) of this 4319

section and comparing the information required under division 4320
(B) (1) of this section with the individual's information in the 4321
statewide voter registration database, the board determines that 4322
all of the following apply, the provisional ballot envelope 4323
shall be opened, and the ballot shall be placed in a ballot box 4324
to be counted: 4325

(a) The individual named on the affirmation is properly 4326
registered to vote. 4327

(b) The individual named on the affirmation is eligible to 4328
cast a ballot in the precinct and for the election in which the 4329
individual cast the provisional ballot. 4330

(c) The individual provided all of the information 4331
required under division (B) (1) of this section in the 4332
affirmation that the individual executed at the time the 4333
individual cast the provisional ballot. 4334

(d) One of the following applies: 4335

(i) The individual provided photo identification at the 4336
time of casting the provisional ballot or appeared at the office 4337
of the board within four days after the day of the election and 4338
provided photo identification. If the individual provided the 4339
individual's Ohio driver's license or state identification card 4340
or an interim identification form, the individual provided the 4341
individual's driver's license number or state identification 4342
card number and the number is not different from the 4343
individual's driver's license number or state identification 4344
card number contained in the statewide voter registration 4345
database. 4346

(ii) The individual completed an affidavit of religious 4347
objection under section 3505.19 of the Revised Code at the time 4348

of casting the provisional ballot or at the office of the board 4349
within four days after the day of the election and the affidavit 4350
is valid under that section. 4351

(e) ~~Except as otherwise provided in this division, the~~ The 4352
~~month and day of the individual's date of birth are~~ is not 4353
different from ~~the day and month of the~~ individual's date of 4354
birth contained in the statewide voter registration database. 4355

~~This division does not apply to an individual's~~ 4356
~~provisional ballot if either of the following is true:~~ 4357

~~(i) The individual's date of birth contained in the~~ 4358
~~statewide voter registration database is January 1, 1800.~~ 4359

~~(ii) The board of elections has found, by a vote of at~~ 4360
~~least three of its members, that the individual has met all~~ 4361
~~other requirements of division (B) (3) of this section.~~ 4362

(f) The individual's current residence address is not 4363
different from the individual's residence address contained in 4364
the statewide voter registration database, unless the individual 4365
indicated that the individual is casting a provisional ballot 4366
because the individual has moved and has not submitted a notice 4367
of change of address, as described in division (A) (6) of section 4368
3505.181 of the Revised Code. 4369

(g) If applicable, the individual provided any additional 4370
information required under division (B) (8) or (9) of section 4371
3505.181 of the Revised Code within four days after the day of 4372
the election. 4373

(h) The board has confirmed using bureau of motor vehicles 4374
records, a government database, or commercial service that the 4375
individual is a United States citizen. 4376

(4) (a) Except as otherwise provided in division (D) of 4377
this section, if, in examining a provisional ballot affirmation 4378
and additional information under divisions (B) (1) and (2) of 4379
this section and comparing the information required under 4380
division (B) (1) of this section with the individual's 4381
information in the statewide voter registration database, the 4382
board determines that any of the following applies, the 4383
provisional ballot envelope shall not be opened, and the ballot 4384
shall not be counted: 4385

(i) The individual named on the affirmation is not 4386
qualified or is not properly registered to vote. 4387

(ii) The individual named on the affirmation is not 4388
eligible to cast a ballot in the precinct or for the election in 4389
which the individual cast the provisional ballot. 4390

(iii) The individual did not provide all of the 4391
information required under division (B) (1) of this section in 4392
the affirmation that the individual executed at the time the 4393
individual cast the provisional ballot. 4394

(iv) The individual has already cast a ballot for the 4395
election in which the individual cast the provisional ballot. 4396

(v) If applicable, the individual did not provide any 4397
additional information required under division (B) (8) or (9) of 4398
section 3505.181 of the Revised Code within four days after the 4399
day of the election. 4400

(vi) The individual failed to provide photo 4401
identification, to provide the individual's driver's license or 4402
state identification card number if the individual provided 4403
photo identification in the form of an Ohio driver's license or 4404
state identification card or an interim identification form, or 4405

to complete an affidavit of religious objection. 4406

(vii) The individual failed to execute an affirmation 4407
under division (B) of section 3505.181 of the Revised Code. 4408

(viii) The individual provided photo identification in the 4409
form of an Ohio driver's license or state identification card or 4410
an interim identification form and the driver's license number 4411
or state identification card number the individual provided is 4412
different from the individual's driver's license number or state 4413
identification card number contained in the statewide voter 4414
registration database. 4415

(ix) The individual completed an affidavit of religious 4416
objection under section 3505.19 of the Revised Code, but the 4417
affidavit is not valid under that section. 4418

(x) ~~Except as otherwise provided in this division, the~~The 4419
~~month and day of the individual's date of birth are~~is different 4420
from ~~the day and month of the individual's date of birth~~ 4421
contained in the statewide voter registration database. 4422

~~This division does not apply to an individual's~~ 4423
~~provisional ballot if either of the following is true:~~ 4424

~~(I) The individual's date of birth contained in the~~ 4425
~~statewide voter registration database is January 1, 1800.~~ 4426

~~(II) The board of elections has found, by a vote of at~~ 4427
~~least three of its members, that the individual has met all of~~ 4428
~~the requirements of division (B) (3) of this section, other than~~ 4429
~~the requirements of division (B) (3) (c) of this section.~~ 4430

(xi) The individual's current residence address is 4431
different from the individual's residence address contained in 4432
the statewide voter registration database, unless the individual 4433

indicated that the individual is casting a provisional ballot 4434
because the individual has moved and has not submitted a notice 4435
of change of address, as described in division (A)(6) of section 4436
3505.181 of the Revised Code. 4437

(xii) The board has been unable to confirm using bureau of 4438
motor vehicles records, a government database, or a commercial 4439
service that the individual is a United States citizen. If the 4440
board is unable to confirm the individual's citizenship, the 4441
board shall notify the individual that the individual's ballot 4442
will be eligible to be counted only if the individual appears at 4443
the office of the board not later than the fourth day after the 4444
day of the election and provides one of the following: 4445

(I) A valid and unexpired United States passport; 4446

(II) A certified copy of one of the following: a United 4447
States birth certificate, certification of report of birth, 4448
consular report of birth abroad, certificate of citizenship, or 4449
certificate of naturalization. 4450

(b) If, in examining a provisional ballot affirmation and 4451
additional information under divisions (B)(1) and (2) of this 4452
section and comparing the information required under division 4453
(B)(1) of this section with the individual's information in the 4454
statewide voter registration database, the board is unable to 4455
determine either of the following, the provisional ballot 4456
envelope shall not be opened, and the ballot shall not be 4457
counted: 4458

(i) Whether the individual named on the affirmation is 4459
qualified or properly registered to vote; 4460

(ii) Whether the individual named on the affirmation is 4461
eligible to cast a ballot in the precinct or for the election in 4462

which the individual cast the provisional ballot. 4463

(C) For each provisional ballot rejected under division 4464
(B) (4) of this section, the board shall record the name of the 4465
provisional voter who cast the ballot, the identification number 4466
of the provisional ballot envelope, the names of the election 4467
officials who determined the validity of that ballot, the date 4468
and time that the determination was made, and the reason that 4469
the ballot was not counted, unless the board has already 4470
recorded that information in another database. 4471

(D) (1) If an individual cast a provisional ballot in a 4472
precinct in which the individual is not registered and eligible 4473
to vote, but in the correct polling location for the precinct in 4474
which the individual is registered and eligible to vote, and the 4475
election official failed to direct the individual to the correct 4476
precinct, the individual's ballot shall be remade under division 4477
(D) (2) of this section. The election official shall be deemed to 4478
have directed the individual to the correct precinct if the 4479
election official correctly completed the form described in 4480
division (C) (2) of section 3505.181 of the Revised Code. 4481

(2) A board of elections that remakes a provisional ballot 4482
under division (D) (1) of this section shall remake the 4483
provisional ballot on a ballot for the appropriate precinct to 4484
reflect the offices, questions, and issues for which the 4485
individual was eligible to cast a ballot and for which the 4486
individual attempted to cast a provisional ballot. The remade 4487
ballot shall be counted for each office, question, and issue for 4488
which the individual was eligible to vote. 4489

(3) If an individual cast a provisional ballot in a 4490
precinct in which the individual is not registered and eligible 4491
to vote and in the incorrect polling location for the precinct 4492

in which the individual is registered and eligible to vote, the 4493
provisional ballot envelope shall not be opened, and the ballot 4494
shall not be counted. 4495

(E) Provisional ballots that are rejected under division 4496
(B) (4) of this section shall not be counted but shall be 4497
preserved in their provisional ballot envelopes unopened until 4498
the time provided by section 3505.31 of the Revised Code for the 4499
destruction of all other ballots used at the election for which 4500
ballots were provided, at which time they shall be destroyed. 4501

(F) Provisional ballots that the board determines are 4502
eligible to be counted under division (B) (3) or (D) of this 4503
section shall be counted in the same manner as provided for 4504
other ballots under section 3505.27 of the Revised Code. No 4505
provisional ballots shall be counted in a particular county 4506
until the board determines the eligibility to be counted of all 4507
provisional ballots cast in that county under division (B) of 4508
this section for that election. Observers, as provided in 4509
section 3505.21 of the Revised Code, may be present at all times 4510
that the board is determining the eligibility of provisional 4511
ballots to be counted and counting those provisional ballots 4512
determined to be eligible. No person shall recklessly disclose 4513
the count or any portion of the count of provisional ballots in 4514
such a manner as to jeopardize the secrecy of any individual 4515
ballot. 4516

(G) (1) Except as otherwise provided in division (G) (2) of 4517
this section, nothing in this section shall prevent a board of 4518
elections from examining provisional ballot affirmations and 4519
additional information under divisions (B) (1) and (2) of this 4520
section to determine the eligibility of provisional ballots to 4521
be counted during the ~~seven~~four days after the day of an 4522

election. 4523

(2) A board of elections shall not examine the provisional 4524
ballot affirmation and additional information under divisions 4525
(B) (1) and (2) of this section of any provisional ballot cast by 4526
an individual who must provide photo identification, complete an 4527
affidavit of religious objection, or provide additional 4528
information to the board of elections under division (B) (7) or 4529
(8) of section 3505.181 of the Revised Code for the board to 4530
determine the individual's eligibility until the individual does 4531
so or until the ~~eight~~ fifth day after the day of the election, 4532
whichever is earlier. 4533

Sec. 3505.19. (A) An elector who does not have photo 4534
identification because the elector has a religious objection to 4535
being photographed may complete an affidavit of religious 4536
objection in lieu of providing photo identification for the 4537
purpose of registering to vote, casting a provisional ballot, or 4538
casting an absent voter's ballot. 4539

(B) The secretary of state shall prescribe the form of the 4540
affidavit of religious objection, which shall be substantially 4541
as follows: 4542

"Affidavit of Religious Objection 4543

I, _____ (~~first and last~~ full name of 4544
elector, exactly as it appears on the elector's Social Security 4545
card), declare under penalty of election falsification that I do 4546
not have photo identification in the state of Ohio or any other 4547
state because I have a sincere religious objection to being 4548
photographed. 4549

My date of birth is: _____ 4550

The last four digits of my Social Security number are: 4551

_____ 4552

_____ 4553

(Signature of individual) 4554

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 4555
FELONY OF THE FIFTH DEGREE." 4556

(C) Upon receiving a completed affidavit of religious 4557
objection, the board of elections shall transmit the information 4558
in the affidavit to the secretary of state. The secretary of 4559
state shall consult the database of the bureau of motor vehicles 4560
to determine ~~whether the registrar of motor vehicles or a deputy~~ 4561
~~registrar has issued a currently unexpired photo identification~~ 4562
~~to the elector~~ all of the following and shall notify the board 4563
of the ~~result~~ results: 4564

(1) Whether the registrar of motor vehicles or a deputy 4565
registrar has issued a currently unexpired photo identification 4566
to the elector; 4567

(2) Whether the elector's name, as provided on the 4568
affidavit, is the same as the name associated with the last four 4569
digits of the social security number the elector provided in the 4570
records of the United States social security administration; 4571

(3) Whether the elector's date of birth, as provided on 4572
the affidavit, is the same as the date of birth associated with 4573
the last four digits of the social security number the elector 4574
provided in the records of the United States social security 4575
administration. 4576

(D) An affidavit of religious objection is not valid if 4577
~~either~~ any of the following apply: 4578

(1) The last four digits of the elector's social security 4579

number, as provided on the affidavit, are different from the 4580
last four digits of the elector's social security number in the 4581
statewide voter registration database. 4582

(2) The registrar of motor vehicles or a deputy registrar 4583
has issued a currently unexpired photo identification to the 4584
elector. 4585

(3) All of the following apply: 4586

(a) The elector's name, as provided on the affidavit, is 4587
different from the name associated with the last four digits of 4588
the social security number the elector provided in the records 4589
of the United States social security administration. 4590

(b) The board of elections contacts the elector and 4591
requests that the elector provide certified information to 4592
confirm otherwise. 4593

(c) The elector does not provide that information not 4594
later than the fourth day after the day of the election. 4595

(4) All of the following apply: 4596

(a) The elector's date of birth, as provided on the 4597
affidavit, is different from the date of birth associated with 4598
the last four digits of the social security number the elector 4599
provided in the records of the United States social security 4600
administration. 4601

(b) The board of elections contacts the elector and 4602
requests that the elector provide certified information to 4603
confirm otherwise. 4604

(c) The elector does not provide that information not 4605
later than the fourth day after the day of the election. 4606

Sec. 3505.20. Any~~(A) (1) Except as otherwise provided in~~ 4607
division (A) (2) of this section, any person offering to vote may 4608
be challenged at the polling place by any precinct election 4609
official on the ground that the person is impersonating an 4610
elector, on the ground that the person is not qualified to vote, 4611
or on the ground that the person has received or has been 4612
promised some valuable reward or consideration for the person's 4613
vote. If 4614

(2) If the board of elections has ruled on the question 4615
presented by a challenge prior to election day under section 4616
3503.24 of the Revised Code, its finding and decision shall be 4617
final, and the voting location manager shall be notified in 4618
writing. If the board has not ruled, the question shall be 4619
determined as set forth in this section. If any 4620

(B) If a person is challenged on the ground that the 4621
person is impersonating an elector, the precinct election 4622
officials shall compare the elector's or attorney in fact's 4623
signature in the pollbook with the image of the elector's or 4624
attorney in fact's signature included in the pollbook and shall 4625
compare the person's appearance with the photograph on the 4626
person's photo identification. If, in the opinion of a majority 4627
of the precinct election officials, the signatures are not by 4628
the same person or the photograph on the photo identification is 4629
not of the person, the person shall be permitted to cast a 4630
provisional ballot under section 3505.181 of the Revised Code. 4631

(C) If a person is~~se~~challenged as unqualified to vote, 4632
the voting location manager shall tender the person the 4633
following oath: "You do swear or affirm under penalty of 4634
election falsification that you will fully and truly answer all 4635
of the following questions put to you concerning your 4636

qualifications as an elector at this election." 4637

~~(A)~~ (1) If the person is challenged as unqualified on the 4638
ground that the person is not a citizen, the precinct election 4639
officials shall put the following questions: 4640

~~(1)~~ (a) Are you a citizen of the United States? 4641

~~(2)~~ (b) Are you a native or naturalized citizen? 4642

~~(3)~~ (c) Where were you born? 4643

~~(4)~~ (d) What official documentation do you possess to 4644
prove your citizenship? Please provide that documentation. 4645

If the person offering to vote claims to be a naturalized 4646
citizen of the United States, the person shall, before the vote 4647
is received, produce for inspection of the precinct election 4648
officials a certificate of naturalization and declare under oath 4649
that the person is the identical person named in the 4650
certificate. If the person states under oath that, by reason of 4651
the naturalization of the person's parents or one of them, the 4652
person has become a citizen of the United States, and when or 4653
where the person's parents were naturalized, the certificate of 4654
naturalization need not be produced. If the person is unable to 4655
provide a certificate of naturalization on the day of the 4656
election, the precinct election officials shall provide to the 4657
person, and the person may vote, a provisional ballot under 4658
section 3505.181 of the Revised Code. The provisional ballot 4659
shall not be counted unless it is properly completed and the 4660
board of elections determines that the voter is properly 4661
registered and eligible to vote in the election. 4662

~~(B)~~ (2) If the person is challenged as unqualified on the 4663
ground that the person has not resided in this state for thirty 4664
days immediately preceding the election, the precinct election 4665

officials shall put the following questions: 4666

~~(1)~~ (a) Have you resided in this state for thirty days 4667
immediately preceding this election? If so, where have you 4668
resided? 4669

~~(2)~~ (b) Did you properly register to vote? 4670

~~(3)~~ (c) Can you provide some form of identification 4671
containing your current ~~mailing~~ residence address in this 4672
precinct? Please provide that identification. 4673

~~(4)~~ (d) Have you voted or attempted to vote at any other 4674
location in this or in any other state at this election? 4675

~~(5)~~ (e) Have you applied for an absent voter's ballot in 4676
any state for this election? 4677

If the precinct election officials are unable to verify 4678
the person's eligibility to cast a ballot in the election, the 4679
precinct election officials shall provide to the person, and the 4680
person may vote, a provisional ballot under section 3505.181 of 4681
the Revised Code. The provisional ballot shall not be counted 4682
unless it is properly completed and the board of elections 4683
determines that the voter is properly registered and eligible to 4684
vote in the election. 4685

~~(C)~~ (3) If the person is challenged as unqualified on the 4686
ground that the person is not a resident of the precinct where 4687
the person offers to vote, the precinct election officials shall 4688
put the following questions: 4689

~~(1)~~ (a) Do you reside in this precinct? 4690

~~(2)~~ (b) When did you move into this precinct? 4691

~~(3)~~ (c) When you came into this precinct, did you come for 4692

a temporary purpose merely or for the purpose of making it your 4693
home? 4694

~~(4)~~ (d) What is your current ~~mailing~~ residence address? 4695

~~(5)~~ (e) Do you have some official identification 4696
containing your current residence address in this precinct? 4697
Please provide that identification. 4698

~~(6)~~ (f) Have you voted or attempted to vote at any other 4699
location in this or in any other state at this election? 4700

~~(7)~~ (g) Have you applied for any absent voter's ballot in 4701
any state for this election? 4702

The precinct election officials shall direct an individual 4703
who is not in the appropriate polling place to the appropriate 4704
polling place. If the individual refuses to go to the 4705
appropriate polling place, or if the precinct election officials 4706
are unable to verify the person's eligibility to cast a ballot 4707
in the election, the precinct election officials shall provide 4708
to the person, and the person may vote, a provisional ballot 4709
under section 3505.181 of the Revised Code. The provisional 4710
ballot shall not be counted unless it is properly completed and 4711
the board of elections determines that the voter is properly 4712
registered and eligible to vote in the election. 4713

~~(D)~~ (4) If the person is challenged as unqualified on the 4714
ground that the person is not of legal voting age, the precinct 4715
election officials shall put the following questions: 4716

~~(1)~~ (a) Are you eighteen years of age or more? 4717

~~(2)~~ (b) What is your date of birth? 4718

~~(3)~~ (c) Do you have some official identification verifying 4719
your age? Please provide that identification. 4720

If the precinct election officials are unable to verify 4721
the person's age and eligibility to cast a ballot in the 4722
election, the precinct election officials shall provide to the 4723
person, and the person may vote, a provisional ballot under 4724
section 3505.181 of the Revised Code. The provisional ballot 4725
shall not be counted unless it is properly completed and the 4726
board of elections determines that the voter is properly 4727
registered and eligible to vote in the election. 4728

(D) The voting location manager shall put such other 4729
questions to the person challenged as are necessary to determine 4730
the person's qualifications as an elector at the election. If a 4731
person challenged refuses to answer fully any question put to 4732
the person, is unable to answer the questions as they were 4733
answered on the registration form by the person under whose name 4734
the person offers to vote, or refuses to sign the person's name 4735
or make the person's mark, or if for any other reason a majority 4736
of the precinct election officials believes the person is not 4737
entitled to vote, the precinct election officials shall provide 4738
to the person, and the person may vote, a provisional ballot 4739
under section 3505.181 of the Revised Code. The provisional 4740
ballot shall not be counted unless it is properly completed and 4741
the board of elections determines that the voter is properly 4742
registered and eligible to vote in the election. 4743

(E) A qualified citizen who has certified the citizen's 4744
intention to vote for president and vice-president as provided 4745
by Chapter 3504. of the Revised Code shall be eligible to 4746
receive only the ballot containing presidential and vice- 4747
presidential candidates. 4748

~~However, not later than the thirtieth day before the day 4749
of an election and in accordance with section 3503.24 of the 4750~~

~~Revised Code, any person qualified to vote may challenge the~~ 4751
~~right of any other person to be registered as a voter, or the~~ 4752
~~right to cast an absent voter's ballot, or to make application~~ 4753
~~for such ballot. Such challenge shall be made in accordance with~~ 4754
~~section 3503.24 of the Revised Code, and the board of elections~~ 4755
~~of the county in which the voting residence of the challenged~~ 4756
~~voter is situated shall make a final determination relative to~~ 4757
~~the legality of such registration or application.~~ 4758

Sec. 3506.01. As used in this chapter and Chapters 3501., 4759
3503., 3505., 3509., 3511., 3513., 3515., 3517., 3519., 3521., 4760
3523., and 3599. of the Revised Code: 4761

~~(A) "Marking device" means an apparatus operated by a~~ 4762
~~voter to record the voter's choices through the marking of~~ 4763
~~ballots enabling them to be examined and counted by automatic~~ 4764
~~tabulating equipment.~~ 4765

~~(B) "Ballot" means the official election presentation of~~ 4766
~~offices and candidates, including write-in candidates, and of~~ 4767
~~questions and issues, and the means by which votes are recorded.~~ 4768

~~(C) "Artifact" means a byproduct of software development~~ 4769
~~that is created in order to develop software, including data~~ 4770
~~models, diagrams, source code, setup scripts, and documents that~~ 4771
~~describe the characteristics or attributes of the software with~~ 4772
~~respect to its architecture, technical aspects, or end user~~ 4773
~~processes.~~ 4774

(B) "Automatic tabulating equipment" means a machine or 4775
electronic device, or interconnected or interrelated machines or 4776
electronic devices, that will automatically examine and count 4777
votes recorded on ballots. Automatic tabulating equipment may 4778
allow for the voter's selections to be indicated by marks made 4779

on a paper record by an electronic marking device. 4780

~~(D)~~ (C) "Ballot" means the official election presentation 4781
of offices and candidates, including write-in candidates, and of 4782
questions and issues, and the means by which votes are recorded. 4783

(D) "Central counting station" means a location, or one of 4784
a number of locations, designated by the board of elections for 4785
the automatic examining, sorting, or counting of ballots. 4786

~~(E) "Voting machines" means mechanical or electronic~~ 4787
~~equipment for the direct recording and tabulation of votes.~~ 4788

~~(F)~~ (E) "Direct recording electronic voting machine" means 4789
a voting machine that records votes by means of a ballot display 4790
provided with mechanical or electro-optical components that can 4791
be actuated by the voter, that processes the data by means of a 4792
computer program, and that records voting data and ballot images 4793
in internal or external memory components. A "direct recording 4794
electronic voting machine" produces a tabulation of the voting 4795
data stored in a removable memory component and in printed copy. 4796
"Direct recording electronic voting machine" does not include a 4797
voting machine that captures votes by means of a ballot display 4798
but that transfers those votes onto an optical scan ballot or 4799
other paper record for tabulation. 4800

~~(G)~~ (F) "Electronic pollbook" means a software derived 4801
electronic list of registered electors for a particular precinct 4802
or polling location that is transported to a polling location. 4803

(G) "Help America Vote Act of 2002" means the "Help 4804
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666. 4805

(H) "Immutable" means, with respect to a record, a 4806
software feature that ensures that the record is created and 4807
that the record is extremely difficult to alter or delete. 4808

(I) "Marking device" means an apparatus operated by a voter to record the voter's choices through the marking of ballots enabling them to be examined and counted by automatic tabulating equipment.

(J) "Software bill of materials" means a formal, machine readable inventory of software components and dependencies that includes version and license information and other details concerning every third-party component of the software, version control for any custom code deployed through code management tools, and supply chain relationships of the components used in building the software and their hierarchical relationships.

(K) "Software development lifecycle" means a formal or informal methodology for designing, creating, and maintaining software, including code built into hardware.

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

(M) "Voter verified paper audit trail" means a physical paper printout on which the voter's ballot choices, as registered by a direct recording electronic voting machine, are recorded. The voter shall be permitted to visually or audibly inspect the contents of the physical paper printout. The physical paper printout shall be securely retained at the polling place until the close of the polls on the day of the election; the secretary of state shall adopt rules under Chapter 119. of the Revised Code specifying the manner of storing the physical paper printout at the polling place. After the physical paper printout is produced, but before the voter's ballot is recorded, the voter shall have an opportunity to accept or

reject the contents of the printout as matching the voter's 4839
ballot choices. If a voter rejects the contents of the physical 4840
paper printout, the system that produces the voter verified 4841
paper audit trail shall invalidate the printout and permit the 4842
voter to recast the voter's ballot. On and after the first 4843
federal election that occurs after January 1, 2006, unless 4844
required sooner by the Help America Vote Act of 2002, any system 4845
that produces a voter verified paper audit trail shall be 4846
accessible to disabled voters, including visually impaired 4847
voters, in the same manner as the direct recording electronic 4848
voting machine that produces it. 4849

(N) "Voting machine" means mechanical or electronic 4850
equipment for the direct recording and tabulation of votes. 4851

(O) "Voting system" means a voter registration system, 4852
electronic pollbook, voting machine, marking device, automatic 4853
tabulating equipment, and any other equipment or software that 4854
is used for the purpose of registering electors, maintaining 4855
voter registration records, casting or tabulating votes, 4856
communicating among systems involved in the tabulation, storage, 4857
or casting of votes, or reporting or auditing the results of an 4858
election. 4859

(P) "Voting system vendor" means a person that 4860
manufactures, distributes, programs, or maintains a voting 4861
system that is marketed or used in this state, or the person's 4862
agent. 4863

Sec. 3506.022. (A) Hand counted paper ballots may be 4864
adopted for use in elections in any county, instead of the use 4865
of voting machines, marking devices, or automatic tabulating 4866
equipment, in the following manner: 4867

(1) By the board of elections; 4868

(2) By the board of county commissioners on the 4869
recommendation of the board of elections; 4870

(3) By the affirmative vote of a majority of the electors 4871
of the county voting upon the question of the adoption of hand 4872
counted paper ballots in the county, in accordance with division 4873
(B) of this section. 4874

(B) (1) If a petition signed by electors in number of two 4875
per cent of the total votes cast in the county for the office of 4876
governor at the most recent general election for that office is 4877
filed with the board of elections, the board shall submit to the 4878
electors of the county at the next general election occurring 4879
not less than ninety days thereafter an issue on the ballot with 4880
the question "Shall hand counting of paper ballots be used 4881
instead of electronic voting machines in the county of 4882
_____ for tabulation of votes?" 4883

(2) Upon the filing of the petition, the board of 4884
elections shall forthwith notify the board of county 4885
commissioners, and the board of county commissioners shall 4886
forthwith determine whether it would prefer to purchase or lease 4887
any additional supplies or equipment in whole or in part for 4888
cash and if so whether it will be necessary or advisable to 4889
issue bonds to provide funds for the purchase of the supplies or 4890
equipment, if adopted. If the board of county commissioners 4891
determines that it is necessary or advisable to issue bonds 4892
therefor, it shall by resolution provide for the submission on 4893
the same ballot, but as a separate issue, the question of 4894
issuing the bonds. The question of issuing the bonds shall be 4895
submitted as required by division (A) of section 3506.03 of the 4896
Revised Code. 4897

Sec. 3506.03. Upon the adoption of voting machines, 4898
marking devices, and automatic tabulating equipment ~~either by~~ 4899
~~the action of the board of elections or by the board of county~~ 4900
~~commissioners, on the recommendation of the board of elections~~ 4901
~~or by the affirmative vote of a majority of the electors voting~~ 4902
~~on the question of the adoption of such equipment, such under~~ 4903
section 3506.02 of the Revised Code, or upon the adoption of 4904
hand counted paper ballots under section 3506.022 of the Revised 4905
Code, the board of county commissioners shall acquire the 4906
equipment by any one or by any combination of the following 4907
methods: 4908

(A) By purchasing in whole or in part such equipment and 4909
paying the purchase price therefor in cash; or out of the 4910
proceeds of the issuance and sale of bonds, provided the 4911
question of issuing bonds for such purpose was submitted to the 4912
vote of the electors of the county pursuant to section 133.18 of 4913
the Revised Code and provided the issuance of such bonds was 4914
approved; 4915

(B) By purchasing in whole or in part such equipment and 4916
paying the purchase price in a series of consecutive annual 4917
approximately equal installments the number of which shall not 4918
exceed the estimated number of years of usefulness of such 4919
equipment, as determined by the fiscal officer of the county and 4920
by issuing to the seller negotiable promissory notes of the 4921
county, evidencing the annual installments to become due, 4922
specifying the terms of purchase, and bearing interest at a rate 4923
not exceeding the rate determined as provided in section 9.95 of 4924
the Revised Code, which notes shall be public obligations as 4925
defined in division (GG)(2) of section 133.01 of the Revised 4926
Code and shall not be subject to Chapter 133. of the Revised 4927
Code, provided the legislation authorizing the issuance of such 4928

notes shall make provision for levying and collecting annually 4929
by taxation amounts sufficient to pay the interest on such notes 4930
and to provide for the payment of the principal thereof when 4931
due, and provided that the amounts of such tax so levied each 4932
year may be reduced by the amount by which revenues available 4933
for appropriation for the payment of the expenses of conducting 4934
elections are appropriated for, and applied to, the payment of 4935
such interest and principal of such notes; 4936

(C) By leasing such equipment in whole or in part under 4937
contract of lease which shall provide for the rental, and also 4938
may provide for an option to purchase them or parts of them at a 4939
fixed price with the rentals paid to be applied to the purchase 4940
price, and payments under such contracts of lease may be made by 4941
the county out of funds of the county not otherwise 4942
appropriated; or which may be appropriated by the board of 4943
county commissioners, out of funds appropriated by the board of 4944
county commissioners to the board of elections for the costs and 4945
expenses of elections, with the approval of the board of 4946
elections; or out of the funds the board of county commissioners 4947
is authorized to provide by a levy and collection thereof 4948
annually by taxation. 4949

Sec. 3506.04. (A) If it is impracticable to supply each 4950
election precinct with voting machines or marking devices for 4951
use at the next election following the adoption of such 4952
equipment, as many shall be supplied for that election and the 4953
succeeding elections as it is practicable to procure either by 4954
purchase or lease, or by a combination of both, and such 4955
equipment may be used in election precincts within the county as 4956
the board of elections directs until such time as it is 4957
practicable to provide the total number of voting machines or 4958
marking devices necessary to supply all precincts within the 4959

county, provided that the total number of voting machines or 4960
marking devices necessary to supply all precincts shall be 4961
procured by purchase or lease, or by a combination of both as 4962
soon as practicable after their adoption. 4963

(B) The board of elections shall be charged with the 4964
custody of all equipment acquired by the county, and shall see 4965
that all such equipment is kept in proper working order and in 4966
good repair. ~~The board of county commissioners of any county or~~ 4967
~~the board of elections, upon recommendation of the board of~~ 4968
~~elections, may, prior to the adoption of such equipment, acquire~~ 4969
~~by purchase or lease or by loan, for the experimental use in a~~ 4970
~~limited number of precincts, such equipment, and such~~ 4971
~~experimental use shall be valid for all purposes as if such~~ 4972
~~equipment had been formally adopted, provided that such~~ 4973
~~equipment has been approved by the board of voting machine~~ 4974
~~examiners for experimental use.~~ 4975

(C) All equipment acquired by any county by any of the 4976
methods provided for in this section shall be exempt from levy 4977
and taxation. 4978

Sec. 3506.05. (A) ~~As used in this section:~~ 4979

~~(1) "Electronic pollbook" means an electronic list of~~ 4980
~~registered voters for a particular precinct or polling location~~ 4981
~~that may be transported to a polling location.~~ 4982

~~(2) Except when used as part of the phrase "tabulating~~ 4983
~~equipment" or "automatic tabulating equipment," "equipment"~~ 4984
~~means a voting machine, marking device, automatic tabulating~~ 4985
~~equipment, software, or an electronic pollbook.~~ 4986

~~(3) "Vendor" means the person that owns, manufactures,~~ 4987
~~distributes, or has the legal right to control the use of~~ 4988

~~equipment, or the person's agent.~~ 4989

~~(B) No voting machine, marking device, automatic~~ 4990
~~tabulating equipment, or software for the purpose of casting or~~ 4991
~~tabulating votes or for communications among systems involved in~~ 4992
~~the tabulation, storage, or casting of votes, and no electronic~~ 4993
~~pollbook, shall be purchased, leased, put in use, or continued~~ 4994
~~to be used, except for experimental use as provided in division~~ 4995
~~(B) of section 3506.04 of the Revised Code, No public agency or~~ 4996
~~public official shall purchase, lease, put in use, or continue~~ 4997
~~to use any voting system unless it the voting system meets or~~ 4998
~~exceeds the most recently adopted election assistance commission~~ 4999
~~voluntary voting system guideline certification standards,~~ 5000
~~derives a manual of procedures governing its use, and training~~ 5001
~~materials, service, and other support arrangements have been~~ 5002
~~certified by the secretary of state and unless ~~the~~ any board of~~ 5003
~~elections ~~of each county where that will use the equipment will~~~~ 5004
~~be used voting system has assured that a demonstration of the~~ 5005
~~use of the ~~equipment~~ voting system has been made available to~~ 5006
~~all interested electors of the county. ~~The~~~~ 5007

~~(B) (1) The secretary of state shall appoint a board of~~ 5008
~~voting ~~machine~~ systems examiners to examine and ~~approve~~~~ 5009
~~equipment recommend voting systems and ~~its~~ their related manuals~~ 5010
~~and support arrangements. ~~The~~~~ 5011

~~(2) The board shall consist of four members, who shall be~~ 5012
~~appointed as follows and who shall serve during the secretary of~~ 5013
~~state's term:~~ 5014

~~(1) (a) Two members appointed by the secretary of state ~~;~~~~ 5015

~~(2) (b) One member appointed by either the speaker of the~~ 5016
~~house of representatives or the minority leader of the house of~~ 5017

representatives, whichever is a member of the opposite political 5018
party from the one to which the secretary of state belongs-; 5019

~~(3)~~ (c) One member appointed by either the president of 5020
the senate or the minority leader of the senate, whichever is a 5021
member of the opposite political party from the one to which the 5022
secretary of state belongs. 5023

(3) In all cases of a tie vote or a disagreement in the 5024
board, if no decision can be arrived at, the board shall submit 5025
the matter in controversy to the secretary of state, who shall 5026
summarily decide the question, and the secretary of state's 5027
decision shall be final. ~~Each-~~ 5028

~~(4) member~~ All members of the board shall be citizens of 5029
the United States and residents of this state, shall have no 5030
criminal record, and shall have no influence or control of 5031
entities outside the United States. No more than two members 5032
shall belong to the same political party. Two members of the 5033
board shall be ~~a~~ competent and experienced election ~~officer-~~ 5034
officials or a person-persons who is-are knowledgeable about the 5035
operation of voting ~~equipment and shall serve during the~~ 5036
~~secretary of state's terms~~ systems. Any- The other two members of 5037
the board shall be cybersecurity experts to whom both of the 5038
following apply: 5039

(a) The person has at least five years of experience as an 5040
information security analyst or in managing information 5041
security. 5042

(b) The person has obtained an information security 5043
certification that requires the person to have passed an 5044
examination that covers at least three of the following topics: 5045

(i) Information technology risk management, 5046

<u>identification, mitigation, and compliance;</u>	5047
(ii) <u>Information security incident management;</u>	5048
(iii) <u>Information security program development and management;</u>	5049 5050
(iv) <u>Risk and control monitoring and reporting;</u>	5051
(v) <u>Access control systems and methodology;</u>	5052
(vi) <u>Business continuity planning and disaster recovery planning;</u>	5053 5054
(vii) <u>Physical security of computing systems;</u>	5055
(viii) <u>Networking security;</u>	5056
(ix) <u>Security architecture application and systems development.</u>	5057 5058
(5) <u>Any vacancy on the board shall be filled in the same manner as the original appointment. The secretary of state shall provide staffing assistance to the board, at the board's request.</u>	5059 5060 5061 5062
(6) <u>For the member's service, each member of the board shall receive three hundred dollars per day for each combination of marking device, tabulating equipment, voting machine, or electronic pollbook <u>voting system</u> examined and reported, but in no event shall a member receive more than six hundred dollars to examine and report on any one marking device, item of tabulating equipment, voting machine, or electronic pollbook <u>voting system</u>. Each member of the board shall be reimbursed for expenses the member incurs during an examination or during the performance of any related duties that may be required by the secretary of state. Reimbursement of these expenses shall be made in</u>	5063 5064 5065 5066 5067 5068 5069 5070 5071 5072 5073

accordance with, and shall not exceed, the rates provided for 5074
under section 126.31 of the Revised Code. 5075

~~Neither the secretary of state nor the board, nor any 5076
public officer who participates in the authorization, 5077
examination, testing, or purchase of equipment, shall have any 5078
pecuniary interest in the equipment or any affiliation with the 5079
vendor. 5080~~

(C) (1) A voting system vendor who desires to have the 5081
secretary of state certify ~~equipment~~ a voting system shall ~~first~~ 5082
~~submit~~ comply with the applicable requirements described in 5083
sections 3506.052, 3506.053, and 3506.054 of the Revised Code 5084
prior to submitting the ~~equipment~~ voting system, all current 5085
related procedural manuals, and a current description of all 5086
related support arrangements to the board of voting ~~machine~~ 5087
systems examiners for examination, testing, and ~~approval~~ 5088
recommendation. The submission shall be accompanied by a fee ~~of~~ 5089
~~two thousand four hundred dollars~~ and a detailed explanation of 5090
~~the construction and method of operation of the equipment~~ 5091
established by the board of voting systems examiners to cover 5092
the expense of voting system examination and security assessment 5093
review, a full statement of its advantages, and a list of the 5094
patents and copyrights used in ~~operations essential to the~~ 5095
~~processes of vote recording and tabulating, vote storage, system~~ 5096
~~security, pollbook storage and security, and other crucial~~ 5097
operations of the ~~equipment~~ voting system as ~~may be~~ determined 5098
by the board. An additional fee, in an amount to be set by rules 5099
promulgated by the board, may be imposed to pay for the costs of 5100
alternative testing or testing by persons other than board 5101
members, record-keeping, and other extraordinary costs incurred 5102
in the examination process. Moneys not used shall be returned to 5103
the person or entity submitting the ~~equipment~~ voting system for 5104

examination. 5105

(2) Fees collected by the secretary of state under this 5106
section shall be deposited into the state treasury to the credit 5107
of the board of voting ~~machine systems~~ examiners fund, which is 5108
hereby created. All moneys credited to this fund shall be used 5109
solely for the purpose of paying for the services and expenses 5110
of each member of the board or for other expenses incurred 5111
relating to the examination, testing, reporting, or 5112
certification of ~~equipment voting systems~~, the performance of 5113
any related duties as required by the secretary of state, or the 5114
reimbursement of any person submitting an examination fee as 5115
provided in this chapter. 5116

(3) The secretary of state shall create, maintain, and 5117
publish guides for voting system vendors that describe all of 5118
the applicable recommendation and certification requirements for 5119
voter registration systems. 5120

(D) Within sixty days after the submission of the 5121
~~equipment voting system~~ and payment of the fee, or as soon 5122
thereafter as is reasonably practicable, but in any event within 5123
not more than ninety days after the submission and payment, the 5124
board of voting ~~machine systems~~ examiners shall examine the 5125
~~equipment voting system~~ and file with the secretary of state a 5126
written report on the ~~equipment voting system~~ with its 5127
recommendations and, if applicable, its determination or 5128
condition of ~~approval recommendation~~ regarding whether the 5129
~~equipment voting system~~, manual, and other related materials or 5130
arrangements meet the applicable criteria set forth in sections 5131
~~3506.07 and 3506.10~~ 3506.051, 3506.052, and 3506.053 of the 5132
Revised Code ~~and can be safely used by the voters at elections~~ 5133
~~under the conditions prescribed in Title XXXV of the Revised~~ 5134

~~Code, or a written statement of reasons for which testing~~ 5135
~~requires a longer period. The board may grant temporary approval~~ 5136
~~for the purpose of allowing experimental use of equipment. The~~ 5137
board of voting systems examiners recommendation report shall 5138
include summary findings of the third-party qualified 5139
cybersecurity review, including identified security 5140
vulnerabilities and a written statement by the voting system 5141
vendor on qualified actions taken to remediate known security 5142
vulnerabilities. If the board finds that the ~~equipment voting~~ 5143
system meets any the applicable criteria set forth in sections 5144
3506.06, 3506.07, and 3506.10 3506.051, 3506.052, and 3506.053 5145
of the Revised Code, can be used ~~safely~~ securely and, if 5146
applicable, can be depended upon to record and count accurately 5147
and continuously the votes of electors, and has the capacity to 5148
be warranted, maintained, and serviced, it shall ~~approve the~~ 5149
~~equipment and recommend that the secretary of state certify the~~ 5150
~~equipment voting system~~. The secretary of state shall notify all 5151
boards of elections of any such certification. ~~Equipment A~~ 5152
voting system of the same model and make, if it operates in an 5153
identical manner, may then be adopted for use ~~at elections~~. 5154

~~(E)~~ (E) (1) The voting system vendor shall notify the 5155
secretary of state, who shall then notify the board of voting 5156
~~machine systems examiners, of any enhancement and any~~ 5157
~~significant adjustment to security vulnerabilities and~~ 5158
corrective actions to change the hardware or software that could 5159
result in a patent or copyright change or that significantly 5160
alters the methods of recording voter intent, system security, 5161
voter privacy, retention of the vote, communication of records, 5162
and connections between the system and other systems alter the 5163
methods of recording voter intent, system security, voter 5164
privacy, retention of the vote, communication of records, or 5165

connections between the system and other systems. The voting 5166
system vendor shall provide the secretary of state with an 5167
updated operations manual for the ~~equipment~~ voting system, and 5168
the secretary of state shall forward the manual to the board. 5169
Upon receiving such a notification and manual, the board ~~may~~ 5170
shall require the voting system vendor to submit the ~~equipment~~-
voting system to an examination and test, including 5171
cybersecurity testing under division (C) of section 3506.141 of 5173
the Revised Code, in order for the ~~equipment~~-voting system to 5174
remain certified. The third-party assessment security reviewer, 5175
in conjunction with the board or the secretary of state shall 5176
periodically examine, test, and inspect certified ~~equipment~~-
voting systems to determine continued compliance with ~~the all~~ 5178
applicable requirements ~~of this chapter~~ and the initial 5179
certification. Any examination, test, or inspection conducted 5180
for the purpose of continuing certification of any ~~equipment~~-
voting system in which a ~~significant problem~~-security 5182
vulnerability has been uncovered in the assessment by the third- 5183
party security reviewer or in which a record of continuing 5184
problems exists shall be performed pursuant to divisions (C) and 5185
(D) of this section, in the same manner as the examination, 5186
test, or inspection is performed for initial ~~approval~~-
recommendation and certification. 5188

(2) Before certification of a computerized voting system 5189
and at all times while the voting system is in use in this 5190
state, the voting system vendor shall comply with an enhanced 5191
risk assessment framework that requires the voting system vendor 5192
and its agents who are responsible for software development to 5193
do all of the following: 5194

(a) Disclose open source components in operating systems, 5195
development frameworks, and data utilization; 5196

<u>(b) Permit third-party assessment security reviews;</u>	5197
<u>(c) Periodically self-attest to adopting practices that</u>	5198
<u>adhere to the national institute of standards in technology's</u>	5199
<u>most recent secure software development framework as described</u>	5200
<u>in special publication 800-218;</u>	5201
<u>(d) Verify hashes and signatures for all vendor-supplied</u>	5202
<u>software, installation, and updates upon request and make those</u>	5203
<u>hashes and signatures open to public inspection;</u>	5204
<u>(e) Extend foundational capability recommendations to</u>	5205
<u>subsidiary suppliers designated within outside-in analyses or</u>	5206
<u>software bills of materials;</u>	5207
<u>(f) Include flow-down requirements to subsidiary suppliers</u>	5208
<u>in agreements that pertain to the secure development, delivery,</u>	5209
<u>operational support, and maintenance of software;</u>	5210
<u>(g) Use suppliers who provide a software security label or</u>	5211
<u>data sheet that includes information on the background,</u>	5212
<u>qualifications, skills, and citizenship of key personnel</u>	5213
<u>involved in building the software for all provided products;</u>	5214
<u>(h) Periodically submit and, upon third-party request,</u>	5215
<u>attest to conformance to applicable secure software development</u>	5216
<u>framework requirements and enhanced secure software development</u>	5217
<u>lifecycle capabilities, such as automated build deployments,</u>	5218
<u>pre-production testing, automatic rollbacks, and staggered</u>	5219
<u>production deployments, including low level artifacts.</u>	5220
<u>(F) If, at any time after the certification of equipment a</u>	5221
<u>voting system, the board of voting machine systems examiners or</u>	5222
<u>the secretary of state is notified by a board of elections of</u>	5223
<u>any significant problem third-party assessment review security</u>	5224
<u>vulnerability with the equipment voting system or determines</u>	5225

that the ~~equipment-voting system~~ fails to meet the requirements 5226
necessary for ~~approval-recommendation~~ or continued compliance 5227
with ~~the all applicable requirements of this chapter~~, or if the 5228
~~board of voting machine examiners~~ third-party assessment 5229
security review determines that there are significant 5230
~~enhancements or adjustments~~ changes to the hardware or software, 5231
~~or if concerning which notice of such enhancements or~~ 5232
~~adjustments~~ has not been given as required by division (E) of 5233
this section, the secretary of state shall notify the users and 5234
vendors of that ~~equipment-voting system~~ that certification of 5235
the equipment may be withdrawn. 5236

(G) (1) The notice given by the secretary of state under 5237
division (F) of this section shall be in writing and shall 5238
specify both of the following: 5239

(a) The reasons why the certification may be withdrawn; 5240

(b) The date on which certification will be withdrawn 5241
unless the voting system vendor takes satisfactory corrective 5242
~~measures or explains why there are no problems with the~~ 5243
~~equipment or why the enhancements or adjustments to the~~ 5244
~~equipment are not significant and obtains third-party assessment~~ 5245
security review recommendation prior to use of the voting system 5246
or gives the notice required under division (E) of this section, 5247
as applicable. 5248

(2) A voting system vendor who receives a notice under 5249
division (F) of this section shall, within thirty days after 5250
receiving it, submit to the third-party assessment security 5251
reviewer and to the board of voting ~~machine~~ systems examiners in 5252
writing a description of the corrective measures taken and the 5253
date on which they were taken, ~~or~~ the explanation required under 5254
division (G) (1) (b) of this section, or the notice required under 5255

division (E) of this section, as applicable. 5256

~~(3)(a)~~ Not later than fifteen days after receiving a 5257
written description ~~or~~, explanation, or notice under division 5258
(G) (2) of this section from a voting system vendor, the board 5259
shall determine whether ~~the corrective measures taken or the~~ 5260
~~explanation is satisfactory~~ to allow continued certification of 5261
~~the equipment~~ voting system, and the secretary of state shall 5262
send the voting system vendor a written notice of the board's 5263
determination, specifying the reasons for it. If the board ~~has~~ 5264
~~determined that the measures taken or the explanation given is~~ 5265
~~unsatisfactory~~ withdraws the certification, the notice shall 5266
include the effective date of withdrawal of the certification. 5267
This date may be different from the date originally specified in 5268
division (G) (1) (b) of this section. 5269

(b) Upon withdrawing the certification of a voting system 5270
pursuant to section 3506.141 of the Revised Code, the board 5271
shall send the voting system vendor a written notice of the 5272
withdrawal that specifies the reason and includes the effective 5273
date of the withdrawal. 5274

(4) A voting system vendor who receives a notice under 5275
division (G) (3) of this section indicating a decision to 5276
withdraw certification may, within thirty days after receiving 5277
it, request in writing that the board hold a hearing to 5278
reconsider its decision. Any interested party shall be given the 5279
opportunity to submit testimony or documentation in support of 5280
or in opposition to the board's recommendation to withdraw 5281
certification. Failure of the voting system vendor to take 5282
appropriate steps as described in division (G) (1) (b) or to 5283
comply with division (G) (2) of this section results in a waiver 5284
of the voting system vendor's rights under division (G) (4) of 5285

this section. 5286

~~(H) (1) The secretary of state, in consultation with the 5287
board of voting machine examiners, shall establish, by rule, 5288
guidelines for the approval, certification, and continued 5289
certification of the voting machines, marking devices, 5290
tabulating equipment, and electronic pollbooks to be used under 5291
Title XXXV of the Revised Code. The guidelines shall establish 5292
procedures requiring vendors or computer software developers to 5293
place in escrow with an independent escrow agent approved by the 5294
secretary of state a copy of all source code and related 5295
documentation, together with periodic updates as they become 5296
known or available. The secretary of state shall require that 5297
the documentation include a system configuration and that the 5298
source code include all relevant program statements in low or 5299
high-level languages. As used in this division, "source code" 5300
does not include variable codes created for specific elections. 5301~~

~~(2) Nothing in any rule adopted under division (H) of this 5302
section shall be construed to limit the ability of the secretary 5303
of state to follow or adopt, or to preclude the secretary of 5304
state from following or adopting, any guidelines proposed by the 5305
federal election commission, any entity authorized by the 5306
federal election commission to propose guidelines, the election 5307
assistance commission, or any entity authorized by the election 5308
assistance commission to propose guidelines. 5309~~

~~(3) (a) Before the initial certification of any direct 5310
recording electronic voting machine with a voter verified paper 5311
audit trail, and as a condition for the continued certification 5312
and use of those machines, the secretary of state shall 5313
establish, by rule, standards for the certification of those 5314
machines. Those standards shall include, but are not limited to, 5315~~

- ~~all of the following:~~ 5316
- ~~(i) A definition of a voter verified paper audit trail as a paper record of the voter's choices that is verified by the voter prior to the casting of the voter's ballot and that is securely retained by the board of elections;~~ 5317
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 - ~~(ii) Requirements that the voter verified paper audit trail shall not be retained by any voter and shall not contain individual voter information;~~ 5321
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 - ~~(iii) A prohibition against the production by any direct recording electronic voting machine of anything that legally could be removed by the voter from the polling place, such as a receipt or voter confirmation;~~ 5324
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 - ~~(iv) A requirement that paper used in producing a voter verified paper audit trail be sturdy, clean, and resistant to degradation;~~ 5328
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 - ~~(v) A requirement that the voter verified paper audit trail shall be capable of being optically scanned for the purpose of conducting a recount or other audit of the voting machine and shall be readable in a manner that makes the voter's ballot choices obvious to the voter without the use of computer or electronic codes;~~ 5331
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 - ~~(vi) A requirement, for office type ballots, that the voter verified paper audit trail include the name of each candidate selected by the voter;~~ 5337
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 - ~~(vii) A requirement, for questions and issues ballots, that the voter verified paper audit trail include the title of the question or issue, the name of the entity that placed the question or issue on the ballot, and the voter's ballot selection on that question or issue, but not the entire text of~~ 5340
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~~the question or issue.~~ 5345

~~(b) The secretary of state, by rule adopted under Chapter 119. of the Revised Code, may waive the requirement under division (H) (3) (a) (v) of this section, if the secretary of state determines that the requirement is cost prohibitive.~~ 5346
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~~(4) (a) Except as otherwise provided in divisions (H) (4) (b) and (c) of this section, any voting machine, marking device, or automatic tabulating equipment used in this state shall meet, as a condition of continued certification and use, the voting system standards adopted by the federal election commission in 2002 or the voluntary voting system guidelines most recently adopted by the federal election assistance commission. A voting machine, marking device, or automatic tabulating equipment initially certified or acquired on or after December 1, 2008, also shall have the most recent federal certification number issued by the election assistance commission.~~ 5350
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~~(b) Division (H) (4) (a) of this section does not apply to any voting machine, marking device, or automatic tabulating equipment that the federal election assistance commission does not certify as part of its testing and certification program.~~ 5361
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~~(c) A county that acquires additional voting machines, marking devices, or automatic tabulating equipment on or after December 1, 2008, shall not be considered to have acquired those machines, devices, or equipment on or after December 1, 2008, for the purpose of division (H) (4) (a) of this section if all of the following apply:~~ 5365
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~~(i) The voting machines, marking devices, or automatic tabulating equipment acquired are the same as the machines, devices, or equipment currently used in that county.~~ 5371
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~~(ii) The acquisition of the voting machines, marking devices, or automatic tabulating equipment does not replace or change the primary voting system used in that county.~~ 5374
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~~(iii) The acquisition of the voting machines, marking devices, or automatic tabulating equipment is for the purpose of replacing inoperable machines, devices, or equipment or for the purpose providing additional machines, devices, or equipment required to meet the allocation requirements established pursuant to division (I) of section 3501.11 of the Revised Code.~~ 5377
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(H) No voting system shall be used in this state if any of the following persons have any pecuniary interest in, or affiliation with, the voting system vendor: 5383
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(1) The secretary of state or any election official in the office of the secretary of state; 5386
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(2) Any member of the board of voting systems examiners; 5388

(3) Any person who conducts a cybersecurity assessment of the voting system under this chapter; 5389
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(4) Any relative of a person listed in divisions (H) (1) to (4) of this section. As used in this division, "relative" means the person's spouse, parent, stepparent, parent-in-law, grandparent, sibling of the whole or half blood, child, stepchild, uncle, aunt, nephew, or niece. 5391
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Sec. 3506.051. (A) The secretary of state, in consultation with the board of voting systems examiners and under the advisement of a third-party assessment security reviewer, shall establish, by rule adopted under Chapter 119. of the Revised Code, requirements for the recommendation, certification, and continued certification of the voting systems to be used under Title XXXV of the Revised Code, consistent with the requirements 5396
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of this chapter. The rules shall include all of the following: 5403

(1) A requirement that a voting system vendor demonstrate 5404
all of the following with respect to a voting system, including 5405
components provided by affiliates or third-party suppliers: 5406

(a) That the voting system has been developed and 5407
maintained throughout its life cycle using the standards and 5408
practices described in the most current version of the secure 5409
software development framework published by the national 5410
institute for standards and technology; 5411

(b) That the voting system's software is well secured and 5412
that all components of the software are protected from tampering 5413
and unauthorized access; 5414

(c) That the voting system vendor rapidly addresses and 5415
reports corrective measures regarding security vulnerabilities 5416
in the voting system as they are discovered, in accordance with 5417
section 3506.052 of the Revised Code; 5418

(d) That the voting system vendor is in compliance with 5419
all applicable requirements of sections 3506.05, 3506.051, 5420
3506.052, 3506.053, and 3506.054 of the Revised Code. 5421

(2) A requirement that the voting system vendor and its 5422
agents, in providing and maintaining the voting system, comply 5423
with the same security and confidentiality requirements that 5424
apply to election officials; 5425

(3) A requirement that all contracts, service agreements, 5426
business proposals, payment invoices, and grants between the 5427
secretary of state and the boards of elections with voting 5428
system vendors and registered nongovernmental organizations be 5429
subject to disclosure as public records and that such vendors be 5430
considered to be involved in a core government function with the 5431

exception of exclusions specifically outlined in section 149.43 5432
of the Revised Code; 5433

(4) A requirement that the secretary of state and each 5434
board of elections maintain a public web site identifying and 5435
providing access to all existing voting system and 5436
nongovernmental organizations existing contracts, service 5437
agreements, proposals, payment invoices, and grants related to 5438
election services and support activities. 5439

(B) Nothing in any rule adopted under division (A) of this 5440
section shall be construed to limit the ability of the secretary 5441
of state to follow or adopt, or to preclude the secretary of 5442
state from following or adopting, any guidelines proposed by the 5443
election assistance commission. 5444

(C) (1) Except as otherwise provided in divisions (C) (2) 5445
and (3) of this section, any voting system used in this state 5446
shall meet, as a condition of continued certification and use, 5447
the most recently adopted voluntary voting system guidelines by 5448
the federal election assistance commission. A voting machine, 5449
marking device, or automatic tabulating equipment initially 5450
certified or acquired on or after December 1, 2008, also shall 5451
have the most recent federal certification number issued by the 5452
election assistance commission. 5453

(2) Division (C) (1) of this section does not apply to any 5454
voting machine, marking device, or automatic tabulating 5455
equipment that the federal election assistance commission does 5456
not certify as part of its testing and certification program. 5457

(3) A county that acquires additional voting machines, 5458
marking devices, or automatic tabulating equipment on or after 5459
December 1, 2008, shall not be considered to have acquired those 5460

machines, devices, or equipment on or after December 1, 2008, 5461
for the purpose of division (C) (1) of this section if all of the 5462
following apply: 5463

(a) The voting machines, marking devices, or automatic 5464
tabulating equipment acquired are the same as the machines, 5465
devices, or equipment currently used in that county. 5466

(b) The acquisition of the voting machines, marking 5467
devices, or automatic tabulating equipment does not replace or 5468
change the primary voting system used in that county. 5469

(c) The acquisition of the voting machines, marking 5470
devices, or automatic tabulating equipment is for the purpose of 5471
replacing inoperable machines, devices, or equipment or for the 5472
purpose providing additional machines, devices, or equipment 5473
required to meet the allocation requirements established 5474
pursuant to division (I) of section 3501.11 of the Revised Code. 5475

(D) Before recommending a voting system, the board of 5476
voting systems examiners shall consider the results of the 5477
cybersecurity review conducted under section 3506.052 of the 5478
Revised Code. 5479

Sec. 3506.052. (A) Before recommending a computerized 5480
voting system, the board of voting systems examiners shall 5481
engage one or more qualified cybersecurity reviewers, through 5482
the Ohio cyber reserve or by other means, to conduct a 5483
cybersecurity review of the voting system in accordance with 5484
this section. 5485

(B) A cybersecurity reviewer engaged under division (A) of 5486
this section shall meet all of the following requirements: 5487

(1) The person shall be a United States citizen, shall 5488
have no criminal record, shall have no influence or control of 5489

entities outside the United States, and shall have a minimum of 5490
five years' management experience in information security or a 5491
minimum of five years' experience as an information security 5492
analyst. 5493

(2) The person shall have obtained an information security 5494
certification by passing an examination that covers at least 5495
three of the following topics: 5496

(a) Information technology risk management, 5497
identification, mitigation, and compliance; 5498

(b) Information security incident management; 5499

(c) Information security program development and 5500
management; 5501

(d) Risk and control monitoring and reporting; 5502

(e) Access control systems and methodology; 5503

(f) Business continuity planning and disaster recovery 5504
planning; 5505

(g) Physical security of computer systems; 5506

(h) Networking security; 5507

(i) Security architecture application and systems 5508
development. 5509

(3) The person or the person's employer or business shall 5510
not receive any form of compensation from, or have any 5511
affiliation with, the voting system vendor. 5512

(4) The person or the person's employer or business shall 5513
not have any other contract with a state agency. 5514

(C) The voting system vendor and its agents shall adhere 5515

to the federal enduring security framework guidelines produced 5516
by the critical infrastructure partnership advisory council and 5517
shall provide the cybersecurity reviewer with the voting system 5518
hardware and software and all software source byproducts for 5519
purposes of the cybersecurity review, including all of the 5520
following: 5521

(1) A high-level secure development lifecycle process 5522
document; 5523

(2) A product readiness checklist; 5524

(3) A product support and response plan; 5525

(4) A software bill of materials that meets all of the 5526
requirements of division (D) of this section; 5527

(5) Architecture and design documents; 5528

(6) Developer training certificates, training completion 5529
statistics, and related data; 5530

(7) A threat model results document; 5531

(8) A high-level software security test plan and results; 5532

(9) Automatic and manual dynamic and static security and 5533
vulnerability reports; 5534

(10) Security scanning results reports; 5535

(11) An open source review process document and allowed 5536
list; 5537

(12) A build log; 5538

(13) A secure development build configurations listing; 5539

(14) A third-party software tool chains list. 5540

(D) (1) In order for a voting system to be recommended or certified, the voting system vendor shall provide a software bill of materials that meets or exceeds all of the following requirements: 5541
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(a) It conforms to the national telecommunications and information administration's minimum elements for a software bill of materials. 5545
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(b) It includes a description of all third party build components and practices and a catalog of the integration of open source software components. 5548
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(c) It conforms to industry standard formats to enable the automated ingestion and monitoring of versions, such as SPDX, CycloneDX, and SWID. 5551
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(d) It includes software bills of materials for all classes of software, including purchased software, open-source software, and in-house software. 5554
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(2) The voting system vendor shall do all of the following with respect to the software bill of materials: 5557
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(a) Make it available through a readily accessible and digitally signed repository that is shared with users directly or publish it on a public web site; 5559
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(b) Contextualize it with additional data elements that inform the risk posture of the designated entity, including plug-ins, hardware components, organizational controls, and other community provided components; 5562
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(c) Integrate vulnerability detection with software bill of materials repositories to enable automated alerting for applicable cybersecurity risks throughout the supply chain; 5566
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(d) Ensure that it details the suppliers' integration of commercial software components; 5569
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(e) Maintain vendor vulnerability disclosure reports at the software bill of materials component level; 5571
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(f) Develop risk management and measurement capabilities to dynamically monitor the impact of vulnerability disclosures on users; 5573
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(g) Perform binary decomposition of software installation packages to generate software bills of materials when no vendor-supplied software bill of materials is available, when technically feasible and legal. 5576
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(E) The cybersecurity reviewer shall examine and evaluate the voting system hardware and software and all accompanying materials. At a minimum, the cybersecurity reviewer shall evaluate both of the following: 5580
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(1) Whether the voting system vendor adheres to the artifact production and security development practices disclosure in the most recent federal enduring security framework published by the cybersecurity and infrastructure security agency; 5584
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(2) Whether the voting system vendor adheres to the practices and tasks detailed in the national institute of standards in technology's most recent secure software development framework as described in special publication 800-218. 5589
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(F) The cybersecurity reviewer shall submit a report of the results of the cybersecurity review conducted under this section to the board of voting systems examiners, the secretary of state, and the voting system vendor. The report shall 5594
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identify any vulnerabilities discovered and shall assess the 5598
degree to which the voting system meets the cybersecurity 5599
standards. Not later than thirty days after the submission date, 5600
the secretary of state shall make the report, all of the 5601
documents described in division (C) of this section, and all 5602
other documents related to the cybersecurity review available to 5603
the public on the secretary of state's official web site. 5604

Sec. 3506.053. (A) No voter registration system shall be 5605
recommended by the board of voting systems examiners or 5606
certified by the secretary of state, or be purchased, rented, or 5607
otherwise acquired, or used, unless it meets all of the 5608
following requirements: 5609

(1) It is capable of meeting all of the applicable 5610
requirements of Chapter 3503. of the Revised Code. 5611

(2) In the case of a voter registration system used by a 5612
board of elections, it is capable of electronically validating 5613
data on voter registration applications and notices of change of 5614
name or address as described in section 3503.201 of the Revised 5615
Code using the statewide voter registration database and 5616
information provided to the board under sections 3503.152 and 5617
3503.153 of the Revised Code. The system shall retrieve updated 5618
information from the statewide voter registration database at 5619
least every twenty-four hours and shall incorporate updated 5620
information received under those sections within twenty-four 5621
hours of receiving it. 5622

(3) It stores all of the information described in division 5623
(B) of section 3503.13 of the Revised Code in an encrypted 5624
format. 5625

(4) It prohibits any image of an elector's signature and 5626

any photograph of an elector from being transmitted from the 5627
records of a board of elections to the statewide voter 5628
registration database or from otherwise being included in the 5629
statewide voter registration database. 5630

(5) It stores canceled voter registration records in a 5631
physically separate database from current voter registration 5632
records. 5633

(6) It prohibits any modification to the database except 5634
by an authorized election official. 5635

(7) It uses a digital blockchain ledger to log all 5636
modifications to the database. The ledger shall meet all of the 5637
following requirements: 5638

(a) It shall be an immutable, cryptographically protected, 5639
append-only audit log of all transactions that add, change, or 5640
delete records in the database, along with the date and time of 5641
each transaction and the identity of the user who conducted the 5642
transaction. 5643

(b) It shall be capable of reconstructing the voter 5644
registration database from a specific point in time up to a 5645
desired date by replaying the stored transactions. 5646

(c) Canceled voter registration records shall have an 5647
immutable history in the ledger, beginning with the transaction 5648
that created the record and ending with the transaction that 5649
canceled the record. 5650

(B) The secretary of state, in consultation with the board 5651
of voting systems examiners, may adopt rules under Chapter 119. 5652
of the Revised Code prescribing additional requirements for 5653
voter registration systems that are consistent with the 5654
requirements of this chapter. 5655

Sec. 3506.054. (A) No electronic pollbook shall be 5656
recommended by the board of voting systems examiners or 5657
certified by the secretary of state, or be purchased, rented, or 5658
otherwise acquired, or used, unless it meets all of the 5659
following requirements: 5660

(1) It is capable of meeting all of the requirements of 5661
section 3503.231 of the Revised Code. 5662

(2) It stores any information described in division (B) of 5663
section 3503.13 of the Revised Code in an encrypted format. 5664

(3) It prohibits the creation or cancellation of any voter 5665
registration record and prohibits any modification of a voter 5666
registration record, other than an addition to an elector's 5667
voting history, during the time the polls are open on election 5668
day. 5669

(B) The secretary of state, in consultation with the board 5670
of voting systems examiners, may adopt rules under Chapter 119. 5671
of the Revised Code prescribing additional requirements for 5672
electronic pollbooks that are consistent with the requirements 5673
of this chapter. 5674

Sec. 3506.06. No marking device shall be ~~approved~~ 5675
recommended by the board of voting ~~machine~~-systems examiners or 5676
certified by the secretary of state, or be purchased, rented, or 5677
otherwise acquired, or used, unless it fulfills the following 5678
requirements: 5679

(A) It shall permit and require voting in absolute 5680
secrecy, and shall be so constructed that no person can see or 5681
know for whom any other elector has voted or is voting, except 5682
an elector who is assisting a voter as prescribed by section 5683
3505.24 of the Revised Code. 5684

(B) It shall permit each elector to vote at any election 5685
for all persons and offices for whom and for which the elector 5686
is lawfully entitled to vote, whether or not the name of any 5687
such person appears on a ballot as a candidate; to vote for as 5688
many persons for an office as the elector is entitled to vote 5689
for; and to vote for or against any question upon which the 5690
elector is entitled to vote. 5691

(C) It shall permit each elector to write in the names of 5692
persons for whom the elector desires to vote, whose names do not 5693
appear upon the ballot, if such write-in candidates are 5694
permitted by law. 5695

(D) It shall permit each elector, at all presidential 5696
elections, by one mark to vote for candidates of one party for 5697
president, vice president, and presidential electors. 5698

(E) It shall be durably constructed of material of good 5699
quality in a neat and workerlike manner, and in form that shall 5700
make it safely transportable. 5701

(F) It shall be so constructed that a voter may readily 5702
learn the method of operating it and may expeditiously cast the 5703
voter's vote for all candidates of the voter's choice. 5704

(G) It shall not provide to a voter any type of receipt or 5705
voter confirmation that the voter legally may retain after 5706
leaving the polling place. 5707

Sec. 3506.07. No automatic tabulating equipment shall be 5708
~~approved~~ recommended by the board of voting ~~machine systems~~ 5709
examiners or certified by the secretary of state, or be 5710
purchased, rented, or otherwise acquired, or used, unless it has 5711
been or is capable of being manufactured for use and 5712
distribution beyond a prototype and can be ~~set~~ configured by 5713

election officials, to examine ballots and to count votes 5714
accurately for each candidate, question, and issue, excluding 5715
any ballots marked contrary to the instructions printed on such 5716
ballots, provided that such equipment shall not be required to 5717
count write-in votes or the votes on any ballots that have been 5718
voted other than at the regular polling place on election day. 5719

Sec. 3506.08. When a marking device designed for use with 5720
printed ballot cards has been ~~approved~~ certified by the 5721
secretary of state pursuant to section 3506.05 of the Revised 5722
Code, the secretary of state shall for each election prescribe 5723
specifications for the printing of such ballot cards that will 5724
present to voters the same information with respect to 5725
candidates, offices, questions, and issues obtainable from paper 5726
ballots for the same election prepared pursuant to Chapter 3505. 5727
of the Revised Code. 5728

Each ballot card shall have attached two stubs, each of 5729
the width of the ballot and each at least one-half inch in 5730
length, except that, if the board of elections has an alternate 5731
method to account for the ballots that the secretary of state 5732
has authorized, each ballot card may have only one stub that 5733
shall be the width of the ballot and not less than one-half inch 5734
in length. In the case of ballot cards with two stubs, the stubs 5735
shall be separated from the ballot card and from each other by 5736
perforated lines. One stub shall be known as Stub A and shall 5737
have printed on its face "Stub A" and "Consecutive Number _____" 5738
The other stub shall be known as Stub B and shall have printed 5739
on its face "Stub B" and "Consecutive Number _____" and the 5740
instructions to the voter which shall be printed in upper and 5741
lower case ten point type. Each ballot card of each kind of 5742
ballot provided for use in each precinct shall be numbered 5743
consecutively by printing such number upon both of the stubs 5744

attached thereto. The board of elections may order the ballot 5745
type, part, rotation series, and the precinct designation 5746
printed and pre-punched at the top of each ballot card. This 5747
information shall be separated from the remaining portion of the 5748
ballot card. 5749

The secretary of state shall further prescribe the 5750
supplementary means, whether paper ballots, ballot envelopes, or 5751
other, by which a voter may write in the names of candidates 5752
whose names do not appear on the ballot. 5753

Sec. 3506.09. Where a marking device designed for use with 5754
electronic data processing cards has been ~~approved~~certified by 5755
the secretary of state pursuant to section 3506.05 of the 5756
Revised Code, the secretary of state shall for each election 5757
prescribe for use with such marking device ballot labels that 5758
will present to voters the same information with respect to 5759
candidates, offices, questions, and issues obtainable from paper 5760
ballots for the same election prepared pursuant to Chapter 3505. 5761
of the Revised Code. 5762

Each ballot card shall have attached two stubs, each of 5763
the width of the ballot and each at least one-half inch in 5764
length, except that, if the board of elections has an alternate 5765
method to account for the ballots that the secretary of state 5766
has authorized, each ballot card may have only one stub that 5767
shall be the width of the ballot and not less than one-half inch 5768
in length. In the case of ballot cards with two stubs, the stubs 5769
shall be separated from the ballot card and from each other by 5770
perforated lines. One stub shall be known as Stub A and shall 5771
have printed on its face "Stub A" and "Consecutive Number _____" 5772
The other stub shall be known as Stub B and shall have printed 5773
on its face "Stub B" and "Consecutive Number _____" and the 5774

instructions to the voter which shall be printed in upper and 5775
lower case ten point type. Each ballot card of each kind of 5776
ballot provided for use in each precinct shall be numbered 5777
consecutively by printing such number upon both of the stubs 5778
attached thereto. The board of elections may order the ballot 5779
type, part, rotation series, and the precinct designation 5780
printed and pre-punched at the top of each ballot card. This 5781
information shall be separated from the remaining portion of the 5782
ballot card. 5783

The secretary of state shall further prescribe the 5784
supplementary means, whether paper ballots, ballot envelopes, or 5785
other, by which a voter may write in the names of candidates 5786
whose names do not appear on the ballot. 5787

Sec. 3506.10. No voting machine shall be ~~approved~~ 5788
~~recommended~~ by the board of voting ~~machine systems~~ examiners or 5789
certified by the secretary of state, or be purchased, rented, or 5790
otherwise acquired, or used, ~~except when specifically allowed~~ 5791
~~for experimental use, as provided in section 3506.04 of the~~ 5792
~~Revised Code,~~ unless it fulfills the following requirements: 5793

(A) It shall permit and require voting in absolute 5794
secrecy, and shall be so constructed that no person can see or 5795
know for whom any other elector has voted or is voting, except 5796
an elector who is assisting a voter as prescribed by section 5797
3505.24 of the Revised Code. 5798

(B) It shall permit each elector to vote at any election 5799
for all persons and offices for whom and for which the elector 5800
is lawfully entitled to vote, whether or not the name of any 5801
such person appears on a ballot label as a candidate; to vote 5802
for as many persons for an office as the elector is entitled to 5803
vote for; and to vote for or against any question upon which the 5804

elector is entitled to vote. 5805

(C) It shall preclude each elector from voting for any 5806
candidate or upon any question for whom or upon which the 5807
elector is not entitled to vote, from voting for more persons 5808
for any office than the elector is entitled to vote for, and 5809
from voting for any candidates for the same office or upon any 5810
question more than once. 5811

(D) It shall permit each voter to deposit, write in, or 5812
affix, upon devices provided for that purpose, ballots 5813
containing the names of persons for whom the voter desires to 5814
vote, whose names do not appear upon the voting machine. Those 5815
devices shall be susceptible of identification as to party 5816
affiliations when used at a primary election. 5817

(E) It shall permit each elector to change the elector's 5818
vote for any candidate or upon any question appearing upon the 5819
ballot labels, up to the time the elector starts to register the 5820
elector's vote. 5821

(F) It shall permit each elector, at all presidential 5822
elections, by one device to vote for candidates of one party for 5823
president, vice-president, and presidential electors. 5824

(G) It shall be capable of adjustment by election officers 5825
so as to permit each elector, at a primary election, to vote 5826
only for the candidates of the party with which the elector has 5827
declared the elector's affiliation and shall preclude the 5828
elector from voting for any candidate seeking nomination by any 5829
other political party; and to vote for the candidates for 5830
nonpartisan nomination or election. 5831

(H) It shall have separate voting devices for candidates 5832
and questions, which shall be arranged in separate rows or 5833

columns. It shall be so arranged that one or more adjacent rows 5834
or columns may be assigned to the candidates of each political 5835
party at primary elections. 5836

(I) It shall have a counter, or other device, the register 5837
of which is visible from the outside of the machine, and which 5838
will show at any time during the voting the total number of 5839
electors who have voted; and also a protective counter, or other 5840
device, the register of which cannot be reset, which will record 5841
the cumulative total number of movements of the internal 5842
counters. 5843

(J) It shall be provided with locks and seals by the use 5844
of which, immediately after the polls are closed or the 5845
operation of the machine for an election is completed, no 5846
further changes to the internal counters can be allowed. 5847

(K) It shall have the capacity to contain the names of 5848
candidates constituting the tickets of at least five political 5849
parties, and independent groups and such number of questions not 5850
exceeding fifteen as the secretary of state shall specify. 5851

(L) It shall be durably constructed of material of good 5852
quality in a neat and workerlike manner, and in form that shall 5853
make it safely transportable. 5854

(M) It shall be so constructed that a voter may readily 5855
learn the method of operating it, may expeditiously cast a vote 5856
for all candidates of the voter's choice, and when operated 5857
properly shall register and record correctly and accurately 5858
every vote cast. 5859

(N) It shall be provided with a screen, hood, or curtain, 5860
which will conceal the voter while voting. During the voting, it 5861
shall preclude every person from seeing or knowing the number of 5862

votes registered for any candidate or question and from 5863
tampering with any of the internal counters. 5864

(O) It shall not provide to a voter any type of receipt or 5865
voter confirmation that the voter legally may retain after 5866
leaving the polling place. 5867

(P) ~~On and after the first federal election that occurs~~ 5868
~~after January 1, 2006, unless required sooner by the Help~~ 5869
~~America Vote Act of 2002, if~~ If the voting machine is a direct 5870
recording electronic voting machine, it shall include a voter 5871
verified paper audit trail. 5872

Before any voting machine is purchased, rented, or 5873
otherwise acquired, or used, the ~~person or corporation owning or~~ 5874
~~manufacturing that machine or having the legal right to control~~ 5875
~~the use of that machine~~ voting system vendor shall give an 5876
adequate guarantee in writing and post a bond in an amount 5877
sufficient to cover the cost of any recount or new election 5878
resulting from or directly related to the use or malfunction of 5879
the equipment, accompanied by satisfactory surety, all as 5880
determined by the secretary of state, with the board of county 5881
commissioners, guaranteeing and securing that those machines 5882
have been and continue to be certified by the secretary of state 5883
in accordance with section 3506.05 of the Revised Code, comply 5884
fully with the requirements of this ~~section~~ chapter, and will 5885
correctly, accurately, and continuously register and record 5886
every vote cast, and further guaranteeing those machines against 5887
defects in workmanship and materials for a period of five years 5888
from the date of their acquisition. 5889

Sec. 3506.101. Before the initial certification of any 5890
direct recording electronic voting machine with a voter verified 5891
paper audit trail, and as a condition for the continued 5892

certification and use of those machines, the secretary of state 5893
shall establish, by rules adopted under Chapter 119. of the 5894
Revised Code, standards for the certification of those machines. 5895
Those standards shall include, but are not limited to, all of 5896
the following: 5897

(A) A definition of a voter verified paper audit trail as 5898
a paper record of the voter's choices that is verified by the 5899
voter prior to the casting of the voter's ballot and that is 5900
securely retained by the board of elections; 5901

(B) Requirements that the voter verified paper audit trail 5902
shall not be retained by any voter and shall not contain 5903
individual voter information; 5904

(C) A prohibition against the production by any direct 5905
recording electronic voting machine of anything that legally 5906
could be removed by the voter from the polling place, such as a 5907
receipt or voter confirmation; 5908

(D) A requirement that paper used in producing a voter 5909
verified paper audit trail be sturdy, clean, and resistant to 5910
degradation; 5911

(E) A requirement that the voter verified paper audit 5912
trail shall be readable in a manner that makes the voter's 5913
ballot choices obvious to the voter without the use of computer 5914
or electronic codes and that the readable portion of the voter 5915
verified paper audit trail be capable of being optically scanned 5916
for the purpose of conducting a recount or other audit of the 5917
voting machine; 5918

(F) A requirement, for office-type ballots, that the voter 5919
verified paper audit trail include the name of each candidate 5920
selected by the voter; 5921

(G) A requirement, for questions and issues ballots, that 5922
the voter verified paper audit trail include the title of the 5923
question or issue, the name of the entity that placed the 5924
question or issue on the ballot, and the voter's ballot 5925
selection on that question or issue, but not the entire text of 5926
the question or issue. 5927

Sec. 3506.141. (A) As a condition of continued 5928
recommendation and certification, every computerized voting 5929
system in use in this state shall undergo periodic cybersecurity 5930
testing, including penetration testing, by one or more 5931
cybersecurity reviewers who are qualified under section 3506.052 5932
of the Revised Code. The cybersecurity testing may include 5933
remote inspection of a voting system and inspections of the 5934
voting system at the office of a board of elections, a voting 5935
system vendor's place of business, or any other relevant 5936
location. The secretary of state shall adopt rules under Chapter 5937
119. of the Revised Code to implement the requirements of this 5938
section. 5939

(B) Every year, the secretary of state shall order 5940
cybersecurity testing of every computerized voting system in use 5941
in three counties, selected as follows: 5942

(1) The counties of the state shall be ranked in order 5943
beginning with the county with the largest number of registered 5944
electors and ending with the county with the smallest number of 5945
registered electors. 5946

(2) Subject to division (B) (5) of this section, one county 5947
shall be randomly selected from among the counties in the sixty- 5948
sixth percentile and higher. 5949

(3) Subject to division (B) (5) of this section, one county 5950

shall be randomly selected from among the counties in the 5951
thirty-fourth to sixty-fifth percentile range. 5952

(4) Subject to division (B)(5) of this section, one county 5953
shall be randomly selected from among the counties in the 5954
thirty-third percentile and lower. 5955

(5) A county that is subject to cybersecurity testing 5956
under division (B) of this section shall not be subject to 5957
cybersecurity testing under division (B) of this section again 5958
until every other county in the county's percentile range has 5959
been subject to cybersecurity testing under division (B) of this 5960
section the same number of times. This division does not apply 5961
to any additional cybersecurity testing conducted under division 5962
(C) of this section. 5963

(C) In addition to the annual cybersecurity testing 5964
conducted under division (B) of this section, the secretary of 5965
state and the board of voting systems examiners may order 5966
cybersecurity testing of a certified computerized voting system 5967
under this section at any time. The secretary of state shall 5968
order cybersecurity testing of a certified computerized voting 5969
system under this section when any of the following occur: 5970

(1) The voting system vendor notifies the board of voting 5971
systems examiners of a significant change to the system under 5972
division (E)(1) of section 3506.05 of the Revised Code; 5973

(2) The secretary of state or the board of voting systems 5974
examiners becomes aware that the voting system has experienced a 5975
significant cybersecurity failure in this state or another 5976
jurisdiction or has been decertified for use in another 5977
jurisdiction; 5978

(3) A board of elections requests the cybersecurity 5979

testing; 5980

(4) A county commissioner requests the cybersecurity 5981
testing. 5982

(D) (1) A voting system passes cybersecurity testing under 5983
this section if either of the following is true: 5984

(a) The cybersecurity testing detects no significant 5985
problems in the voting system. 5986

(b) The cybersecurity testing detects significant problems 5987
in the voting system, but the voting system vendor and the board 5988
of elections or the secretary of state, as applicable, remediate 5989
all of those problems to the satisfaction of the secretary of 5990
state and the board of voting systems examiners before the 5991
voting system is put back into use and within a time period set 5992
by the secretary of state and the board of voting systems 5993
examiners. 5994

(2) A voting system fails cybersecurity testing under this 5995
section if any of the following are true: 5996

(a) The cybersecurity testing detects significant problems 5997
in the voting system and the problems are not remediated as 5998
described in division (D) (1) (b) of this section. 5999

(b) The cybersecurity reviewer is unable to determine 6000
whether significant problems exist in the voting system or 6001
whether any identified significant problems have been 6002
remediated. 6003

(c) The voting system vendor or the board of elections 6004
fails to adequately cooperate with the cybersecurity testing, as 6005
determined by the secretary of state and the board of voting 6006
systems examiners. 6007

(3) If a voting system fails cybersecurity testing under this section, the board of voting systems examiners immediately shall withdraw the voting system's certification for use in this state in accordance with section 3506.05 of the Revised Code. 6008
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Sec. 3506.15. The secretary of state shall provide each board of elections with rules, instructions, directives, and advisories regarding the examination, testing, and use of ~~the voting machine and tabulating equipment systems~~, the assignment of duties of booth officials, the procedure for casting a vote on ~~the a voting machine~~, and how the vote shall be tallied and reported to the board, and with other rules, instructions, directives, and advisories the secretary of state finds necessary to ensure the adequate care and custody of voting ~~equipment systems~~, and the accurate registering, counting, and canvassing of the votes as required by this chapter. The boards of elections shall be charged with the responsibility of providing for the adequate instruction of voters and election officials in the proper use of ~~the voting machine and marking devices systems~~. 6012
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The secretary of state's rules, instructions, directives, and advisories provided under this section shall comply, insofar as practicable, with this chapter. The provisions of Title XXXV of the Revised Code, not inconsistent with the provisions relating to voting machines, apply in any county using a voting machine. 6027
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Sec. 3506.23. A voting machine shall not be connected to the internet or telecommunications network. An electronic pollbook shall not be connected to the internet or telecommunications network from the time beginning when the polls open on election day until the electronic pollbook is 6033
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returned to the board of elections following the close of the 6038
polls. 6039

Sec. 3509.02. (A) Any qualified elector may vote by absent 6040
voter's ballots at an election. 6041

(B) Any qualified elector who is unable to appear at the 6042
office of the board of elections or, if pursuant to division (C) 6043
of section 3501.10 of the Revised Code the board has designated 6044
another location in the county at which registered electors may 6045
vote, at that other location on account of personal illness, 6046
physical disability, or infirmity, and who moves from one 6047
precinct to another within a county, changes the elector's name 6048
and moves from one precinct to another within a county, or moves 6049
from one county to another county within the state, on or prior 6050
to the day of a general, primary, or special election and has 6051
not ~~filed a notice of~~ reported the change of residence or change 6052
of name under section 3503.19 of the Revised Code may vote by 6053
absent voter's ballots in that election as specified in division 6054
~~(G)~~ (E) of section 3503.16 of the Revised Code. 6055

Sec. 3509.03. (A) Except as otherwise provided in sections 6056
3509.051, 3511.02, and 3511.021 of the Revised Code, any 6057
qualified elector desiring to vote absent voter's ballots at an 6058
election shall deliver a written application for those ballots, 6059
either in person or by mail, to the board of elections of the 6060
county in which the elector's voting residence is located. 6061

(B) Except as otherwise permitted under section 3511.02 of 6062
the Revised Code and under division (C) of this section, the 6063
application shall be on a form prescribed by the secretary of 6064
state and shall ~~contain~~ include all of the following: 6065

(1) The elector's full name as it appears on the elector's 6066

Ohio driver's license or state identification card or, if the 6067
elector does not have an Ohio driver's license or state 6068
identification card, the elector's full name as it appears on 6069
the affidavit of religious objection to being photographed that 6070
the elector submits; 6071

(2) The elector's signature~~+~~ signed using ink on the paper 6072
form. An electronic, mechanical, or photocopied signature on an 6073
application for absent voter's ballots is not valid. 6074

(3) The residence address at which the elector is 6075
registered to vote; 6076

(4) The elector's date of birth; 6077

(5) ~~One of the following:~~ 6078

~~(a) The elector's Ohio driver's license or state~~ 6079
~~identification card number~~+~~~~ 6080

~~(b) The~~ or, if the elector does not have an Ohio driver's 6081
license or state identification card number and the elector 6082
submits a valid affidavit of religious objection to being 6083
photographed, the last four digits of the elector's social 6084
security number; 6085

~~(c) A copy of the elector's photo identification.~~ 6086

(6) If the elector has a religious objection to being 6087
photographed, a valid affidavit of religious objection to being 6088
photographed shall be submitted. 6089

(7) A statement identifying the election for which absent 6090
voter's ballots are requested; 6091

~~(7)~~ (8) A statement that the person requesting the ballots 6092
is a qualified elector; 6093

~~(8)~~ (9) If the request is for primary election ballots, 6094
the elector's party affiliation; 6095

~~(9)~~ (10) If the elector desires ballots to be mailed to 6096
the elector, the address to which those ballots shall be mailed. 6097

(C) If the elector has a confidential voter registration 6098
record, as described in section 111.44 of the Revised Code, the 6099
elector may provide the elector's program participant 6100
identification number instead of the address at which the 6101
elector is registered to vote. 6102

(D) Except as otherwise provided in division (A) of 6103
section 3509.051 and in division (B) of section 3509.08 of the 6104
Revised Code, an application to receive absent voter's ballots 6105
shall be delivered to the office of the board not earlier than 6106
the first day of January of the year of the elections for which 6107
the absent voter's ballots are requested or not earlier than 6108
ninety days before the day of the election at which the ballots 6109
are to be voted, whichever is earlier, and not later than the 6110
close of business on the seventh day before the day of the 6111
election at which the ballots are to be voted. 6112

(E) Except as permitted under section 111.31 of the 6113
Revised Code, no public office, and no public official or 6114
employee who is acting in an official capacity, shall do either 6115
of the following: 6116

(1) Prepay the return postage for an application for 6117
absent voter's ballots; 6118

(2) Mail or otherwise deliver an unsolicited application 6119
for absent voter's ballots to any person. 6120

(F) Except as otherwise provided in this section and in 6121
sections 3505.24 and 3509.08 of the Revised Code, an election 6122

official shall not fill out any portion of an application for
absent voter's ballots on behalf of an applicant. The secretary
of state or a board of elections may preprint only an
applicant's full name and residence address on an application
for absent voter's ballots before mailing that application to
the applicant, except that if the applicant has a confidential
voter registration record, the secretary of state or a board of
elections shall not preprint the applicant's residence address
on the application. If an applicant's full name is preprinted on
an application, the name shall be as it appears on the
applicant's Ohio driver's license or state identification card
or, if the applicant does not have an Ohio driver's license or
state identification card, the name shall be as it appears on
the applicant's social security card.

Sec. 3509.04. ~~(A)~~ (A) (1) If a board of elections receives
an application for absent voter's ballots that does not contain
all of the required information or is not submitted on an
appropriate form, the board promptly shall notify the applicant
of the additional information required to be provided by the
applicant to complete that application, direct the applicant to
use an appropriate form, or both, as applicable.

(2) Upon receiving an application for absent voter's
ballots that contains all of the required information and is
submitted on an appropriate form, the board shall compare the
signature on the application with the signature in the elector's
registration record. If, in the opinion of the board, the
signatures are not by the same person, or if the board otherwise
determines that the applicant is not a qualified elector, the
board shall reject the application.

~~(B) Upon receipt by the board of elections of an~~

~~application for absent voter's ballots that contains all of the~~ 6153
~~required information and is submitted on an appropriate form, as~~ 6154
~~provided by section 3509.03 and division (G) of section 3503.16~~ 6155
~~of the Revised Code, the board, if~~ If the board finds that the 6156
applicant is a qualified elector, the board shall deliver to the 6157
applicant in person or mail directly to the applicant by special 6158
delivery mail, air mail, or regular mail, postage prepaid, 6159
proper absent voter's ballots. The board shall deliver or mail 6160
with the ballots an unsealed identification envelope upon the 6161
face of which shall be printed a form substantially as follows 6162
and shall include an explanation of the acceptable forms of 6163
photo identification: 6164

"Identification Envelope Statement of Voter 6165

I, _____ (~~Name~~ full name of voter as it 6166
appears on the voter's Ohio driver's license or state 6167
identification card or, if the voter does not have an Ohio 6168
driver's license or state identification card, the voter's full 6169
name as it appears on the voter's affidavit of religious 6170
objection to being photographed that the voter submitted), 6171
declare under penalty of election falsification that the within 6172
ballot or ballots contained no voting marks of any kind when I 6173
received them, and I caused the ballot or ballots to be marked, 6174
enclosed in the identification envelope, and sealed in that 6175
envelope. 6176

My voting residence in Ohio is 6177

_____ 6178

(Street and Number, if any, or Rural Route and Number) 6179

of _____ (City, Village, or Township) 6180

Ohio, which is in Ward _____ Precinct _____ 6181

in that city, village, or township. 6182

If I have a confidential voter registration record, I am 6183
providing my program participant identification number instead 6184
of my residence address: _____ 6185

The primary election ballots, if any, within this envelope 6186
are primary election ballots of the _____ Party. 6187

Ballots contained within this envelope are to be voted at 6188
the _____ (general, special, or primary) election to be 6189
held on the _____ day of 6190
_____, _____. 6191

My date of birth is _____ (Month and Day), 6192
_____ (Year). 6193

~~(Voter must provide one of the following:)~~ 6194

~~My~~ If I have an Ohio driver's license or state 6195
identification card, the number is _____ (Driver's 6196
license or state identification card number). 6197

~~The~~ Only if I don't have an Ohio driver's license or state 6198
identification card, and I submit a valid affidavit of religious 6199
objection to being photographed, the last four digits of my 6200
Social Security Number are _____ (Last four digits of 6201
Social Security Number). 6202

(Voter must provide one of the following:) 6203

~~_____ In lieu of providing a driver's license or state~~ 6204
~~identification card number or the last four digits of my Social~~ 6205
~~Security Number, I am enclosing a legible copy of the front and~~ 6206
~~back of my photo identification in the return envelope in which~~ 6207
~~this identification envelope will be mailed. Acceptable photo~~ 6208
~~identification is an Ohio driver's license, state identification~~ 6209

card, or interim identification form issued by the Bureau of 6210
Motor Vehicles, a United States passport or passport card, a 6211
United States military identification card, an Ohio National 6212
Guard identification card, or a United States Department of 6213
Veterans Affairs identification card. Your photo identification 6214
must include your name and photograph and must not be expired. 6215

I am enclosing a completed affidavit of religious 6216
objection to being photographed in the return envelope in which 6217
this identification envelope will be mailed. 6218

I hereby declare, under penalty of election falsification, 6219
that the statements above are true, as I verily believe. 6220

_____ 6221

(Signature of Voter) 6222

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 6223
THE FIFTH DEGREE." 6224

The board shall mail with the ballots and the unsealed 6225
identification envelope an unsealed return envelope upon the 6226
face of which shall be printed the post-office address of the 6227
board. In the upper left corner on the face of the return 6228
envelope, several blank lines shall be printed upon which the 6229
voter may write the voter's name and return address. The return 6230
envelope shall be of such size that the identification envelope 6231
can be conveniently placed within it for returning the 6232
identification envelope to the board. 6233

No public office, and no public official or employee who 6234
is acting in an official capacity, shall prepay the return 6235
postage for any absent voter's ballots. 6236

Except as otherwise provided in this section and in 6237

sections 3505.24 and 3509.08 of the Revised Code, an election 6238
official shall not fill out any portion of an identification 6239
envelope statement of voter or an absent voter's ballot on 6240
behalf of an elector. A board of elections may preprint only an 6241
elector's name and address on an identification envelope 6242
statement of voter before mailing absent voter's ballots to the 6243
elector, except that if the elector has a confidential voter 6244
registration record, as described in section 111.44 of the 6245
Revised Code, the board of elections shall not preprint the 6246
elector's address on the identification envelope statement of 6247
voter. 6248

Sec. 3509.05. (A) When an elector receives an absent 6249
voter's ballot pursuant to the elector's application or request, 6250
the elector shall, before placing any marks on the ballot, note 6251
whether there are any voting marks on it. If there are any 6252
voting marks, the ballot shall be returned immediately to the 6253
board of elections; otherwise, the elector shall cause the 6254
ballot to be marked, folded in a manner that the stub on it and 6255
the indorsements and facsimile signatures of the members of the 6256
board of elections on the back of it are visible, and placed and 6257
sealed within the identification envelope received from the 6258
board of elections for that purpose. Then, the elector shall 6259
cause the statement of voter on the outside of the 6260
identification envelope to be completed and signed, under 6261
penalty of election falsification. If the elector does not 6262
enclose the ballot in the identification envelope and seal the 6263
identification envelope, the elector's ballot is eligible to be 6264
counted only if the elector appears at the office of the board 6265
of elections not later than the fourth day after the day of the 6266
election and seals the ballot in the identification envelope in 6267
the presence of the election officials, as described in division 6268

(D) (4) of section 3509.06 of the Revised Code. 6269

(B) The elector shall ~~provide one~~ do all of the following: 6270

(1) ~~The~~ Provide the elector's Ohio driver's license or 6271
state identification card number on the statement of voter on 6272
the identification envelope, if the elector has an Ohio driver's 6273
license or state identification card; 6274

(2) ~~The~~ Provide the last four digits of the elector's 6275
social security number on the statement of voter on the 6276
identification envelope; 6277

(3) ~~A~~ Enclose a copy of the elector's photo identification 6278
or a completed affidavit of religious objection to being 6279
photographed, as described in section 3505.19 of the Revised 6280
Code, in the return envelope with the identification envelope. 6281

(C) (1) The elector shall mail the identification envelope 6282
to the office of the board of elections in the return envelope, 6283
postage prepaid, or the elector may personally deliver it to the 6284
office of the board, or the spouse of the elector, the father, 6285
mother, father-in-law, mother-in-law, grandfather, grandmother, 6286
brother, or sister of the whole or half blood, or the son, 6287
daughter, adopting parent, adopted child, stepparent, stepchild, 6288
uncle, aunt, nephew, or niece of the elector may deliver it to 6289
the office of the board. The return envelope shall be returned 6290
by no other person, in no other manner, and to no other 6291
location, except as otherwise provided in section 3509.08 of the 6292
Revised Code. 6293

(2) If the board maintains multiple offices in the county, 6294
as permitted under division (C) of section 3501.10 of the 6295
Revised Code, the board may designate any of its offices for the 6296
return of absent voter's ballots under this section, provided 6297

that the board shall designate only one office to which absent voter's ballots shall be returned under this section. 6298
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(3) (a) The board of elections may place not more than one secure receptacle outside the office of the board, on the property on which the office of the board is located, for the purpose of receiving absent voter's ballots under this section. 6300
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(b) A secure receptacle shall be open to receive ballots only during the period beginning on the first day after the close of voter registration before the election and ending at seven-thirty p.m. on the day of the election. The receptacle shall be open to receive ballots at all times during that period. 6304
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(c) A secure receptacle shall be monitored by recorded video surveillance at all times. The video recordings are a public record. The board shall do one of the following: 6310
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(i) Make the video recordings available for inspection upon request in accordance with section 149.43 of the Revised Code. 6313
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(ii) Make each day's video recording available to the public on the internet for streaming or download without charge within seventy-two hours after the recording ends and make the video recordings available to the public upon request in accordance with section 149.43 of the Revised Code. 6316
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(d) Only a bipartisan team of election officials may open a secure receptacle or handle its contents. A bipartisan team of election officials shall collect the contents of each secure receptacle and deliver them to the board for processing at least once each day and at seven-thirty p.m. on the day of the election. If, at seven-thirty p.m. on the day of the election, 6321
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there are persons waiting in line to deposit absent voter's 6327
ballots in a receptacle, those persons shall be permitted to 6328
deposit the ballots. 6329

(4) (a) During the period beginning on the forty-fifth day 6330
before election day and ending on the day after election day, on 6331
each day the office of the board of elections is open for 6332
business, the board shall report to the secretary of state all 6333
of the following information concerning the previous business 6334
day: 6335

(i) The number of return envelopes purporting to contain 6336
absent voter's ballots or uniformed services or overseas absent 6337
voter's ballots the board received by personal delivery, other 6338
than to a receptacle described in division (C) (3) of this 6339
section; 6340

(ii) If the board has placed a secure receptacle outside 6341
the office of the board under division (C) (3) of this section, 6342
the number of return envelopes purporting to contain absent 6343
voter's ballots or uniformed services or overseas absent voter's 6344
ballots the board received in the receptacle. 6345

(b) As soon as practicable after receiving a report under 6346
division (C) (4) (a) of this section, the secretary of state shall 6347
make the information in the report available to the public on 6348
the secretary of state's official web site. 6349

(D) (1) Except as otherwise provided in division (D) (2) of 6350
this section, all envelopes containing marked absent voter's 6351
ballots shall be delivered to the office of the board not later 6352
than the close of the polls on the day of an election. Absent 6353
voter's ballots delivered to the office of the board later than 6354
the times specified shall not be counted, but shall be kept by 6355

the board in the sealed identification envelopes in which they 6356
are delivered, until the time provided by section 3505.31 of the 6357
Revised Code for the destruction of all other ballots used at 6358
the election for which ballots were provided, at which time they 6359
shall be destroyed. 6360

(2) (a) Except as otherwise provided in division (D) (2) (b) 6361
of this section, any return envelope that is postmarked prior to 6362
the day of the election shall be delivered to the director prior 6363
to the fifth day after the election. Ballots delivered in 6364
envelopes postmarked prior to the day of the election that are 6365
received after the close of the polls on election day through 6366
the fourth day thereafter shall be counted on the fifth day at 6367
the board of elections in the manner provided in divisions (C) 6368
and (D) of section 3509.06 of the Revised Code or in the manner 6369
provided in division (E) of that section, as applicable. Any 6370
such ballots that are received by the director later than the 6371
fourth day following the election shall not be counted, but 6372
shall be kept by the board in the sealed identification 6373
envelopes as provided in division (A) of this section. 6374

(b) Division (D) (2) (a) of this section shall not apply to 6375
any mail that is postmarked using a postage evidencing system, 6376
including a postage meter, as defined in 39 C.F.R. 501.1. 6377

Sec. 3509.06. (A) The board of elections shall determine 6378
whether absent voter's ballots cast under section 3503.16, 6379
3509.05, 3509.08, or 3511.09 of the Revised Code shall be 6380
processed and counted in each precinct, at the office of the 6381
board, or at some other location designated by the board, and 6382
shall proceed accordingly under division (B), (C), or (E) of 6383
this section, as applicable. 6384

(B) (1) Except as otherwise provided in division (B) (2) of 6385

this section, when the board of elections determines that those
absent voter's ballots shall be processed and counted in each
precinct, the board shall deliver to the voting location manager
of each precinct on election day identification envelopes
purporting to contain absent voter's ballots of electors whose
voting residence appears from the statement of voter on the
outside of each of those envelopes, to be located in that
manager's precinct, and which were received by the board not
later than the close of the polls on election day. The board
shall deliver to the voting location manager a list containing
the name and voting residence of each person whose voting
residence is in such precinct to whom absent voter's ballots
were mailed.

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

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

(D) Each of the identification envelopes purporting to 6417
contain absent voter's ballots delivered to the voting location 6418
manager of the precinct or the special election official 6419
appointed by the board of elections shall be handled as follows: 6420

(1) If, upon opening the return envelope, the election 6421
officials find that the ballots are not enclosed in the 6422
identification envelope or that the ballots are enclosed in the 6423
identification envelope but that the identification envelope is 6424
not properly sealed, the election officials shall not look at 6425
the markings upon the ballots but shall promptly place the 6426
return envelope, along with the ballots and the identification 6427
envelope, in a separate envelope designated for that purpose and 6428
proceed under division (D) (4) of this section. 6429

(2) The election officials shall compare the signature of 6430
the elector on the outside of the identification envelope with 6431
the signature of that elector on the elector's registration form 6432
and compare the photograph on the copy of the elector's photo 6433
identification, if any, with the photograph in the elector's 6434
registration record, if any, and verify that the absent voter's 6435
ballot is eligible to be counted. Any of the precinct election 6436
officials may challenge the right of the elector named on the 6437
identification envelope to vote the absent voter's ballots 6438
under 6439
section 3509.07 of the Revised Code.

~~(2) (a) Any of the precinct officials may challenge the~~ 6440
~~right of the elector named on the identification envelope to~~ 6441
~~vote the absent voter's ballots upon the ground that the~~ 6442
~~signature on the envelope is not the same as the signature on~~ 6443
~~the registration form, that the identification envelope~~ 6444
~~statement of voter is incomplete, or upon any other of the~~ 6445
~~grounds upon which the right of persons to vote may be lawfully~~ 6446

~~challenged.~~ 6447

~~(b) If, provided that if the elector's name does not~~ 6448
~~appear in the pollbook or poll list or signature pollbook, the~~ 6449
~~precinct officials shall deliver the absent voter's ballots to~~ 6450
~~the director of the board of elections to be examined and~~ 6451
~~processed in the manner described in division (E) of this~~ 6452
~~section.~~ 6453

~~(3)(a)(3) An identification envelope statement of voter~~ 6454
~~shall be considered incomplete if it does not include all of the~~ 6455
~~following:~~ 6456

~~(i)(a) The voter's full name as it appears on the voter's~~ 6457
~~Ohio driver's license or state identification card or, if the~~ 6458
~~voter does not have an Ohio driver's license or state~~ 6459
~~identification card, the voter's full name as it appears on the~~ 6460
~~voter's affidavit of religious objection to being photographed~~ 6461
~~that the voter submits;~~ 6462

~~(ii)(b) The voter's residence address or, if the voter~~ 6463
~~has a confidential voter registration record, as described in~~ 6464
~~section 111.44 of the Revised Code, the voter's program~~ 6465
~~participant identification number;~~ 6466

~~(iii)(c) The voter's date of birth. The requirements of~~ 6467
~~this division are satisfied if the voter provided a date of~~ 6468
~~birth and ~~any of the following is true:~~~~ 6469

~~(I) The month and day of the voter's date of birth on the~~ 6470
~~identification envelope statement of voter ~~are not different~~~~ 6471
~~~~from the month and day of~~ is the same as the voter's date of~~ 6472  
~~birth contained in the statewide voter registration database.~~ 6473

~~(II) The voter's date of birth contained in the statewide~~ 6474  
~~voter registration database is January 1, 1900.~~ 6475

~~(III) The board of elections has found, by a vote of at least three of its members, that the voter has met the requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of this section.~~ 6476  
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~~(iv) (d)~~ The voter's signature; and 6480

~~(v) One (e)~~ All of the following forms of identification: 6481

~~(I) (i)~~ The voter's Ohio driver's license or state identification card number, if the voter has one; 6482  
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~~(II) (ii)~~ The last four digits of the voter's social security number; ~~or~~ 6484  
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~~(III) (iii)~~ A copy of the voter's photo identification or a valid affidavit of religious objection to being photographed, as described in section 3505.19 of the Revised Code. 6486  
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~~(b) (4) (a)~~ If the election officials find that the identification envelope statement of voter is incomplete ~~or,~~ that the information contained in that statement does not conform to the information contained in the statewide voter registration database concerning the voter, or that any ballots were not enclosed in the identification envelope, as described in division (D) (1) of this section, the election officials shall mail a written notice to the voter, informing the voter of the nature of the defect. The notice shall inform the voter ~~that of~~ the following, as applicable: 6489  
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(i) In the case of an incomplete or incorrect statement, that in order for the voter's ballot to be counted, the voter must provide the necessary information to the board of elections in writing and on a form prescribed by the secretary of state not later than the fourth day after the day of the election. The voter may deliver the form to the office of the board in person 6499  
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or by mail. ~~¶f~~

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(ii) In the case of ballots that were not enclosed and sealed in the identification envelope, that in order for the voter's ballots to be counted, the voter must appear at the office of the board of elections not later than the fourth day after the day of the election, confirm that the ballots belong to the voter, and seal them in the identification envelope in the presence of the election officials.

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(b) If the voter provides the necessary information to the board of elections takes the necessary actions described above not later than the fourth day after the day of the election and the ballot is not successfully challenged on another basis, the voter's ballot shall be processed and counted in accordance with this section.

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~~(4)~~ (5) If no such challenge is made, or if such a challenge is made and not sustained, the voting location manager shall open the envelope without defacing the statement of voter and without mutilating the ballots in it, and shall remove the ballots contained in it and proceed to count them.

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~~(5) (a) Except as otherwise provided in division (D) (5) (b) of this section, The election officials shall mark the pollbook to indicate that the elector has voted in the election and to indicate the type of absent voter's ballot the elector cast. In the name of each case of a person voting who is entitled to vote only an absent voter's presidential ballot, the election officials shall be entered include in a the pollbook or poll-list or signature pollbook followed by the words "Absentee Presidential Ballot." The name of each person voting an absent voter's ballot, other than such persons entitled to vote only a presidential ballot, shall be entered in the pollbook or poll-~~

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~~list or signature pollbook and the person's registration card  
marked to indicate that the person has voted.~~ 6535  
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~~(b) If the person voting has a confidential voter  
registration record, the person's registration card shall be  
marked to indicate that the person has voted, but the person's  
name shall not be entered in the pollbook or poll list or  
signature pollbook.~~ 6537  
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~~(6) The date of such election shall also be entered on the  
elector's registration form. In the case of a uniformed services  
or overseas absent voter, the election officials shall include  
in the pollbook the words "Uniformed Services or Overseas Absent  
Voter's Ballot."~~ 6542  
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~~(6) If any such challenge is made and sustained, the  
identification envelope of such elector shall not be opened,  
shall be endorsed "Not Counted" with the reasons the ballots  
were not counted, and shall be delivered to the board.~~ 6547  
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~~(E) (1) When the board of elections receives absent voter's  
ballots from an elector who has provided a program participant  
identification number instead of a residence address on the  
identification envelope statement of voter, the director and the  
deputy director personally shall examine and process the  
identification envelope statement of voter in the manner  
prescribed in division (D) of this section, except that the  
director and deputy director shall make a separate record of the  
fact that the elector has voted in the election instead of  
marking the elector's name in the pollbook.~~ 6551  
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~~(2) If the director and the deputy director find that the  
identification envelope statement of voter is incomplete or that  
the information contained in that statement does not conform to~~ 6561  
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~~the information contained in the statewide voter registration database concerning the voter or to the information contained in the voter's confidential voter registration record, the director and the deputy director shall mail a written notice to the voter informing the voter of the nature of the defect. The notice shall inform the voter that in order for the voter's ballot to be counted the voter must provide the necessary information to the board of elections in writing and on a form prescribed by the secretary of state not later than the fourth day after the day of the election. The voter may deliver the form to the office of the board in person or by mail. If the voter provides the necessary information to the board of elections not later than the fourth day after the day of the election and the ballot is not successfully challenged on another basis, the voter's ballot shall be counted in accordance with this section.~~

~~(3) The director or the deputy director may challenge the ballot on the ground that the signature on the envelope is not the same as the signature on the registration form, that the identification envelope statement of voter is incomplete, or upon any other of the grounds upon which the right of persons to vote may be lawfully challenged under section 3509.07 of the Revised Code. If such a challenge is made, the board of elections shall decide whether to sustain the challenge.~~

~~(4) (3) If neither the director nor the deputy director challenges the ballot, or if such a challenge is made and not sustained, the director and the deputy director shall open the envelope without defacing the statement of voter and without mutilating the ballots in it, shall remove the ballots contained in it, and shall transmit the ballots to the election officials to be counted with other absent voter's ballots from that precinct.~~

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

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

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

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

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

~~(5) Scanning the absent voter's ballot by automatic tabulating equipment, if the equipment used by the board of elections permits an absent voter's ballot to be scanned without tabulating or counting the votes on the ballots scanned. The election officials shall not open the identification envelope until after the board of elections determines, after the close of the polls on the day of the election, whether the elector has also cast a provisional ballot, as described in section 3509.09 of the Revised Code.~~

(G) Special election officials, employees or members of the board of elections, or observers shall not disclose the count or any portion of the count of absent voter's ballots prior to the time of the closing of the polling places. No

person shall recklessly disclose the count or any portion of the 6624  
count of absent voter's ballots in such a manner as to 6625  
jeopardize the secrecy of any individual ballot. 6626

(H) (1) Except as otherwise provided in division (H) (2) of 6627  
this section, observers may be appointed under section 3505.21 6628  
of the Revised Code to witness the examination and opening of 6629  
identification envelopes and the processing and counting of 6630  
absent voters' ballots under this section. 6631

(2) Observers shall not be permitted to witness the 6632  
examination and opening of identification envelopes returned by, 6633  
and the processing and counting of absent voter's ballots cast 6634  
by, electors who have confidential voter registration records in 6635  
a manner that would permit the observers to learn the identities 6636  
or residence addresses of those electors. 6637

**Sec. 3509.07.** (A) If election officials find that any of 6638  
the following are true concerning an absent voter's ballot or 6639  
absent voter's presidential ballot cast under section 3503.16, 6640  
3509.05, 3509.08, or 3511.09 of the Revised Code and, if 6641  
applicable, the person did not ~~provide any required additional~~ 6642  
~~information to the board of elections~~ cure the defect not later 6643  
than the fourth day after the day of the election, as permitted 6644  
under division ~~(D) (3) (b) or (E) (2)~~ (D) (4) of section 3509.06 of 6645  
the Revised Code, the ballot shall not be accepted or counted: 6646

~~(A) (1)~~ (1) The statement accompanying the ballot is 6647  
incomplete as described in division ~~(D) (3) (a)~~ (D) (3) of section 6648  
3509.06 of the Revised Code or is insufficient~~+~~. 6649

~~(B) (2)~~ (2) The signatures do not correspond with the person's 6650  
registration signature~~+~~. 6651

~~(C) (3)~~ (3) The applicant is not a qualified elector in the 6652

precinct~~7~~. 6653

~~(D)~~ (4) The ballot envelope contains more than one ballot 6654  
of any one kind~~7~~, or any voted ballot that the elector is not 6655  
entitled to vote~~7~~, or the return envelope contains ballots that 6656  
are not enclosed and sealed in the identification envelope. 6657

~~(E)~~ (5) Stub A is detached from the absent voter's ballot 6658  
or absent voter's presidential ballot~~7~~ ~~or~~. 6659

~~(F) The elector has not included with the elector's ballot~~ 6660  
~~any identification required under section 3509.05 or 3511.09 of~~ 6661  
~~the Revised Code~~ 6662

(6) The photograph on the copy of the elector's photo 6663  
identification, if any, and the photograph in the elector's 6664  
registration record, if any, are not of the same person. 6665

(7) The elector has not provided the identification 6666  
described in division (D) (3) (e) of section 3509.06 of the 6667  
Revised Code with the elector's ballot. 6668

(8) Any other grounds exist upon which the right of 6669  
persons to vote may be lawfully challenged. 6670

(B) The vote of any absent voter may be challenged for 6671  
cause in the same manner as other votes are challenged, and the 6672  
election officials shall determine the legality of that ballot. 6673  
Every ballot not counted shall be endorsed on its back "Not 6674  
Counted" with the reasons the ballot was not counted, and shall 6675  
be enclosed and returned to or retained by the board of 6676  
elections along with the contested ballots. 6677

**Sec. 3509.08.** (A) Any qualified elector, who, on account 6678  
of the elector's own personal illness, physical disability, or 6679  
infirmity, or on account of the elector's confinement in a jail 6680

or workhouse under sentence for a misdemeanor or awaiting trial 6681  
on a felony or misdemeanor, will be unable to travel from the 6682  
elector's home or place of confinement to the voting booth in 6683  
the elector's precinct on the day of any general, special, or 6684  
primary election may make application in writing for an absent 6685  
voter's ballot to the board of elections of the elector's county 6686  
in the manner described in section 3509.03 of the Revised Code. 6687  
The application shall state the nature of the elector's illness, 6688  
physical disability, or infirmity, or the fact that the elector 6689  
is confined in a jail or workhouse and the elector's resultant 6690  
inability to travel to the election booth in the elector's 6691  
precinct on election day. 6692

The absent voter's ballot may be mailed directly to the 6693  
applicant at the applicant's voting residence or place of 6694  
confinement as stated in the applicant's application, or the 6695  
board may designate two board employees belonging to the two 6696  
major political parties for the purpose of delivering the ballot 6697  
to the disabled or confined elector and returning it to the 6698  
board, unless the applicant is confined to a public or private 6699  
institution within the county, in which case the board shall 6700  
designate two board employees belonging to the two major 6701  
political parties for the purpose of delivering the ballot to 6702  
the disabled or confined elector and returning it to the board. 6703  
In all other instances, the ballot shall be returned to the 6704  
office of the board in the manner prescribed in section 3509.05 6705  
of the Revised Code. 6706

Any disabled or confined elector who declares to the two 6707  
board employees belonging to the two major political parties 6708  
that the elector is unable to mark the elector's ballot by 6709  
reason of physical infirmity that is apparent to the employees 6710  
to be sufficient to incapacitate the voter from marking the 6711

elector's ballot properly, may receive, upon request, the 6712  
assistance of the employees in marking the elector's ballot, and 6713  
they shall thereafter give no information in regard to this 6714  
matter. Such assistance shall not be rendered for any other 6715  
cause. 6716

When two board employees belonging to the two major 6717  
political parties deliver a ballot to a disabled or confined 6718  
elector, each of the employees shall be present when the ballot 6719  
is delivered, when assistance is given, and when the ballot is 6720  
returned to the office of the board, and shall subscribe to the 6721  
declaration on the identification envelope. 6722

The secretary of state shall prescribe the form of 6723  
application for absent voter's ballots under this division. 6724

This chapter applies to disabled and confined absent 6725  
voter's ballots except as otherwise provided in this section. 6726

(B) (1) Any qualified elector who is unable to travel to 6727  
the voting booth in the elector's precinct on the day of any 6728  
general, special, or primary election may apply to the board of 6729  
elections of the county where the elector is a qualified elector 6730  
to vote in the election by absent voter's ballot if either of 6731  
the following apply: 6732

(a) The elector is confined in a hospital as a result of 6733  
an accident or unforeseeable medical emergency occurring before 6734  
the election; 6735

(b) The elector's minor child is confined in a hospital as 6736  
a result of an accident or unforeseeable medical emergency 6737  
occurring before the election. 6738

(2) The application authorized under division (B) (1) of 6739  
this section shall be made in writing in the manner described in 6740



section 3509.03 of the Revised Code, except that the application 6741  
shall be delivered to the office of the board not later than 6742  
three p.m. on the day of the election. The application shall 6743  
indicate the hospital where the applicant or the applicant's 6744  
child is confined, the date of the applicant's or the 6745  
applicant's child's admission to the hospital, and the offices 6746  
for which the applicant is qualified to vote. The applicant may 6747  
also request that a member of the applicant's family, as listed 6748  
in section 3509.05 of the Revised Code, deliver the absent 6749  
voter's ballot to the applicant. The board, after establishing 6750  
to the board's satisfaction the validity of the circumstances 6751  
claimed by the applicant, shall supply an absent voter's ballot 6752  
to be delivered to the applicant. When the applicant or the 6753  
applicant's child is in a hospital in the county where the 6754  
applicant is a qualified elector and no request is made for a 6755  
member of the family to deliver the ballot, the board shall 6756  
arrange for the delivery of an absent voter's ballot to the 6757  
applicant, and for its return to the office of the board, by two 6758  
board employees belonging to the two major political parties 6759  
according to the procedures prescribed in division (A) of this 6760  
section. When the applicant or the applicant's child is in a 6761  
hospital outside the county where the applicant is a qualified 6762  
elector and no request is made for a member of the family to 6763  
deliver the ballot, the board shall arrange for the delivery of 6764  
an absent voter's ballot to the applicant by mail, and the 6765  
ballot shall be returned to the office of the board in the 6766  
manner prescribed in section 3509.05 of the Revised Code. 6767

(3) Any qualified elector who is eligible to vote under 6768  
division (B) or (C) of section 3503.16 of the Revised Code but 6769  
is unable to do so because of the circumstances described in 6770  
division (B) (2) of this section may vote in accordance with 6771

division (B) (1) of this section if that qualified elector states 6772  
in the application for absent voter's ballots that that 6773  
qualified elector moved or had a change of name under the 6774  
circumstances described in division (B) or (C) of section 6775  
3503.16 of the Revised Code and if that qualified elector 6776  
complies with divisions ~~(G) (1)~~ (E) (1) to (4) of section 3503.16 6777  
of the Revised Code. 6778

(C) Any qualified elector described in division (A) or (B) 6779  
(1) of this section who needs no assistance to vote or to return 6780  
absent voter's ballots to the board of elections may apply for 6781  
absent voter's ballots under section 3509.03 of the Revised Code 6782  
instead of applying for them under this section or may cast 6783  
absent voter's ballots in person under section 3509.051 of the 6784  
Revised Code. 6785

(D) Any qualified elector described in division (A) or (B) 6786  
(1) of this section to whom ballots are delivered by two 6787  
employees of the board of elections or who votes with the 6788  
assistance of two employees of the board of elections shall be 6789  
considered to have cast absent voter's ballots by mail, rather 6790  
than in person, for the purpose of the laws governing voter 6791  
identification. 6792

**Sec. 3509.09.** (A) The ~~poll list or signature~~ pollbook for 6793  
each precinct shall identify each registered elector in that 6794  
precinct who has requested an absent voter's ballot, including a 6795  
uniformed services or overseas absent voter's ballot, for that 6796  
election or cast absent voter's ballots in person under section 6797  
3509.051 of the Revised Code, other than an elector who has a 6798  
confidential voter registration record, as described in section 6799  
111.44 of the Revised Code. 6800

(B) If a registered elector appears to vote and that 6801

elector has requested or cast an absent voter's ballot for that 6802  
election, the elector shall be permitted to cast a provisional 6803  
ballot under section 3505.181 of the Revised Code. 6804

~~(C) (1) In counting absent voter's ballots under section 6805  
3509.06 of the Revised Code, the board of elections shall 6806  
compare the signature of each elector from whom the board has 6807  
received a sealed identification envelope purporting to contain 6808  
that elector's voted absent voter's ballots for that election to 6809  
the signature on that elector's registration form. Except as 6810  
otherwise provided in division ~~(C) (3)~~ (C) (2) of this section, if 6811  
the board of elections determines that the ~~absent voter's~~ 6812  
elector's provisional ballot in the sealed identification 6813  
envelope is valid and eligible to be counted, it shall be 6814  
counted instead of any absent by mail voter's ballot cast by the 6815  
elector. If the board of elections determines that the signature 6816  
on the sealed identification envelope purporting to contain the 6817  
elector's voted absent voter's ballot does not match the 6818  
signature on the elector's registration form, the ballot shall 6819  
be set aside and the board shall examine, during the time prior 6820  
to the beginning of the official canvass, the poll list or 6821  
signature pollbook from the precinct in which the elector is 6822  
registered to vote to determine if the elector also cast a 6823  
provisional ballot under section 3505.181 of the Revised Code. 6824~~

~~(2) The board of elections shall count the provisional 6825  
ballot, instead of the absent voter's ballot, if both of the 6826  
following apply: 6827~~

~~(a) The board of elections determines that the signature 6828  
of the elector on the outside of the identification envelope in 6829  
which the absent voter's ballots are enclosed does not match the 6830  
signature of the elector on the elector's registration form, 6831~~

~~(b) The elector cast a provisional ballot in the election.~~ 6832

~~(3) If the board of elections does not receive the sealed- 6833  
identification envelope purporting to contain the elector's- 6834  
voted absent voter's ballot by the applicable deadline- 6835  
established under section 3509.05 of the Revised Code, the- 6836  
provisional ballot cast under section 3505.181 of the Revised- 6837  
Code shall be counted as valid, if that provisional ballot is- 6838  
otherwise determined to be valid pursuant to section 3505.183 of- 6839  
the Revised Code. If an absent voter's ballot purporting to be 6840  
cast by an elector is successfully challenged under section 6841  
3509.07 of the Revised Code but not under division (A) (2) or (6) 6842  
of that section, and the elector cast a provisional ballot under 6843  
section 3505.181 of the Revised Code, neither the absent voter's 6844  
ballot nor the provisional ballot shall be counted. 6845~~

(D) If the board of elections ~~counts a provisional ballot-~~ 6846  
~~rejects an absent voter's ballot under division (C) (2) or (3) (C)~~ 6847  
of this section, the returned identification envelope of that 6848  
elector shall not be opened, and the ballot within that envelope 6849  
shall not be counted. The identification envelope shall be 6850  
endorsed "Not Counted" with the reason the ballot was not 6851  
counted. 6852

**Sec. 3511.02.** (A) Notwithstanding any section of the 6853  
Revised Code to the contrary, whenever any person applies for 6854  
registration as a voter on a form adopted in accordance with 6855  
federal regulations relating to the "Uniformed and Overseas 6856  
Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, 6857  
this application shall be sufficient for voter registration and 6858  
as a request for an absent voter's ballot. Uniformed services or 6859  
overseas absent voter's ballots may be obtained by any person 6860  
meeting the requirements of section 3511.011 of the Revised Code 6861

by applying electronically to the secretary of state or to the 6862  
board of elections of the county in which the person's voting 6863  
residence is located in accordance with section 3511.021 of the 6864  
Revised Code or by applying to the board of elections of the 6865  
county in which the person's voting residence is located, in one 6866  
of the following ways: 6867

(1) That person may make written application for those 6868  
ballots. The person may personally deliver the application to 6869  
the office of the board or may mail it, send it by facsimile 6870  
machine, send it by electronic mail, send it through internet 6871  
delivery if such delivery is offered by the board of elections 6872  
or the secretary of state, or otherwise send it to the board. 6873  
Except as otherwise provided in division (B) of this section, 6874  
the application shall be on a form prescribed by the secretary 6875  
of state and shall ~~contain~~include all of the following 6876  
~~information~~: 6877

(a) The elector's full name as it appears on the elector's 6878  
Ohio driver's license or state identification card or, if the 6879  
elector does not have an Ohio driver's license or state 6880  
identification card, the elector's full name as it appears on 6881  
the elector's social security card; 6882

(b) The elector's signature; 6883

(c) The residence address at which the elector is 6884  
registered to vote; 6885

(d) The elector's date of birth; 6886

(e) ~~One of the following:~~ 6887

~~(i) The elector's Ohio driver's license or state~~ 6888  
~~identification card number;~~ 6889

- ~~(ii) The or, if the elector does not have an Ohio driver's license or state identification card number, the last four digits of the elector's social security number;~~ 6890  
6891  
6892
- ~~(iii) A copy of the elector's photo identification.~~ 6893
- (f) A statement identifying the election for which absent voter's ballots are requested; 6894  
6895
- (g) A statement that the person requesting the ballots is a qualified elector; 6896  
6897
- (h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 52 U.S.C. 20310; 6898  
6899
- (i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, whichever is applicable; 6900  
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- (j) If the request is for primary election ballots, the elector's party affiliation; 6908  
6909
- (k) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed; 6910  
6911
- (l) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent; 6912  
6913  
6914
- (m) If the elector desires ballots to be sent to the elector by electronic mail or, if offered by the board of elections or the secretary of state, through internet delivery, 6915  
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the elector's electronic mail address or other internet contact information. 6918  
6919

(2) A voter or any relative of a voter listed in division 6920  
(A) (3) of this section may use a single federal post card 6921  
application to apply for uniformed services or overseas absent 6922  
voter's ballots for use at the primary and general elections in 6923  
a given year and any special election to be held on the day in 6924  
that year specified by division (E) of section 3501.01 of the 6925  
Revised Code for the holding of a primary election, designated 6926  
by the general assembly for the purpose of submitting 6927  
constitutional amendments proposed by the general assembly to 6928  
the voters of the state. A single federal postcard application 6929  
shall be processed by the board of elections pursuant to section 6930  
3511.04 of the Revised Code the same as if the voter had applied 6931  
separately for uniformed services or overseas absent voter's 6932  
ballots for each election. 6933

(3) Application to have uniformed services or overseas 6934  
absent voter's ballots mailed or sent by facsimile machine to 6935  
such a person may be made by the spouse, father, mother, father- 6936  
in-law, mother-in-law, grandfather, grandmother, brother or 6937  
sister of the whole blood or half blood, son, daughter, adopting 6938  
parent, adopted child, stepparent, stepchild, daughter-in-law, 6939  
son-in-law, uncle, aunt, nephew, or niece of such a person. The 6940  
application shall be in writing upon a blank form furnished only 6941  
by the board or on a single federal post card as provided in 6942  
division (A) (2) of this section. The form of the application 6943  
shall be prescribed by the secretary of state. The board shall 6944  
furnish that blank form to any of the relatives specified in 6945  
this division desiring to make the application, only upon the 6946  
request of such a relative made in person at the office of the 6947  
board or upon the written request of such a relative mailed to 6948

the office of the board. Except as otherwise provided in 6949  
division (B) of this section, the application, subscribed and 6950  
sworn to by the applicant, shall ~~contain~~include all of the 6951  
following: 6952

(a) The full name of the elector for whom ballots are 6953  
requested as it appears on the elector's Ohio driver's license 6954  
or state identification card or, if the elector does not have an 6955  
Ohio driver's license or state identification card, the 6956  
elector's full name as it appears on the elector's social 6957  
security card; 6958

(b) A statement that the elector is an absent uniformed 6959  
services voter or overseas voter as defined in 52 U.S.C. 20310; 6960

(c) The residence address at which the elector is 6961  
registered to vote; 6962

(d) A statement identifying the elector's length of 6963  
residence in the state immediately preceding the commencement of 6964  
service, immediately preceding the date of leaving to be with or 6965  
near a service member, or immediately preceding leaving the 6966  
United States, or a statement that the elector's parent or legal 6967  
guardian resided in this state long enough to establish 6968  
residency for voting purposes immediately preceding leaving the 6969  
United States, as the case may be; 6970

(e) The elector's date of birth; 6971

(f) ~~One of the following:~~ 6972

~~(i) The elector's Ohio driver's license or state~~ 6973  
~~identification card number;~~ 6974

~~(ii) The~~ or, if the elector does not have an Ohio 6975  
driver's license or state identification card number, the last 6976



four digits of the elector's social security number; 6977

~~(iii) A copy of the elector's photo identification. 6978~~

(g) A statement identifying the election for which absent voter's ballots are requested; 6979  
6980

(h) A statement that the person requesting the ballots is a qualified elector; 6981  
6982

(i) If the request is for primary election ballots, the elector's party affiliation; 6983  
6984

(j) A statement that the applicant bears a relationship to the elector as specified in division (A) (3) of this section; 6985  
6986

(k) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through internet delivery; 6987  
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(l) The signature and address of the person making the application. 6994  
6995

(B) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the application may include the elector's program participant identification number instead of the address at which the elector is registered to vote. 6996  
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7000

(C) Each application for uniformed services or overseas absent voter's ballots shall be delivered to the office of the board not earlier than the first day of January of the year of the elections for which the uniformed services or overseas 7001  
7002  
7003  
7004

absent voter's ballots are requested or not earlier than ninety 7005  
days before the day of the election at which the ballots are to 7006  
be voted, whichever is earlier. An application to receive 7007  
uniformed services or overseas absent voter's ballots by mail or 7008  
by another method permitted under section 3511.021 of the 7009  
Revised Code shall be delivered to the office of the board not 7010  
later than the close of business on the seventh day preceding 7011  
the day of the election. 7012

(D) If the voter for whom the application is made is 7013  
entitled to vote for presidential and vice-presidential electors 7014  
only, the applicant shall submit to the board, in addition to 7015  
the requirements of division (A) of this section, a statement to 7016  
the effect that the voter is qualified to vote for presidential 7017  
and vice-presidential electors and for no other offices. 7018

(E) Except as permitted under section 111.31 of the 7019  
Revised Code, no public office, and no public official or 7020  
employee who is acting in an official capacity, shall do either 7021  
of the following: 7022

(1) Prepay the return postage for an application for 7023  
absent voter's ballots; 7024

(2) Mail or otherwise deliver an unsolicited application 7025  
for absent voter's ballots to any person. 7026

(F) Except as otherwise provided in this section and in 7027  
sections 3505.24 and 3509.08 of the Revised Code, an election 7028  
official shall not fill out any portion of a federal post card 7029  
application or other application for absent voter's ballots on 7030  
behalf of an applicant. The secretary of state or a board of 7031  
elections may preprint only an applicant's full legal name and 7032  
residence address on a federal post card application or other 7033

application for absent voter's ballots before mailing that 7034  
application to the applicant, except that if the applicant has a 7035  
confidential voter registration record, the secretary of state 7036  
or the board of elections shall not preprint the applicant's 7037  
residence address on the application. 7038

**Sec. 3511.04.** ~~(A)~~(A) (1) If a board of elections receives 7039  
an application for uniformed services or overseas absent voter's 7040  
ballots that does not contain all of the required information or 7041  
is not submitted on an appropriate form, the board promptly 7042  
shall notify the applicant of the additional information 7043  
required to be provided by the applicant to complete that 7044  
application, direct the applicant to use an appropriate form, or 7045  
both, as applicable. 7046

(2) Upon receiving an application for uniformed services 7047  
or overseas absent voter's ballots that contains all of the 7048  
required information and is submitted on an appropriate form, 7049  
the board shall compare the signature on the application with 7050  
the signature in the elector's registration record. If, in the 7051  
opinion of the board, the signatures are not by the same person, 7052  
or if the board otherwise determines that the applicant is not a 7053  
qualified elector, the board shall reject the application. 7054

(B) Not later than the forty-sixth day before the day of 7055  
each general or primary election, and at the earliest possible 7056  
time before the day of a special election held on a day other 7057  
than the day on which a general or primary election is held, the 7058  
board of elections shall mail, send by facsimile machine, send 7059  
by electronic mail, send through internet delivery if such 7060  
delivery is offered by the board of elections or the secretary 7061  
of state, or otherwise send uniformed services or overseas 7062  
absent voter's ballots then ready for use as provided for in 7063

section 3511.03 of the Revised Code and for which the board has 7064  
received valid applications prior to that time. Thereafter, and 7065  
until the close of business on the seventh day preceding the day 7066  
of election, the board shall promptly, upon receipt of valid 7067  
applications for them, mail, send by facsimile machine, send by 7068  
electronic mail, send through internet delivery if such delivery 7069  
is offered by the board of elections or the secretary of state, 7070  
or otherwise send to the proper persons all uniformed services 7071  
or overseas absent voter's ballots then ready for use. 7072

If, after the seventieth day before the day of a general 7073  
or primary election, any other question, issue, or candidacy is 7074  
lawfully ordered submitted to the electors voting at the general 7075  
or primary election, the board shall promptly provide a separate 7076  
official issue, special election, or other election ballot for 7077  
submitting the question, issue, or candidacy to those electors, 7078  
and the board shall promptly mail, send by facsimile machine, 7079  
send by electronic mail, send through internet delivery if such 7080  
delivery is offered by the board of elections or the secretary 7081  
of state, or otherwise send each such separate ballot to each 7082  
person to whom the board has previously mailed or sent other 7083  
uniformed services or overseas absent voter's ballots. 7084

No public office, and no public official or employee who 7085  
is acting in an official capacity, shall prepay the return 7086  
postage for any absent voter's ballots. In mailing uniformed 7087  
services or overseas absent voter's ballots, the board shall use 7088  
the fastest mail service available, but the board shall not mail 7089  
them by certified mail. 7090

**Sec. 3511.05.** (A) The board of elections shall place 7091  
uniformed services or overseas absent voter's ballots sent by 7092  
mail in an unsealed identification envelope, gummed ready for 7093

sealing. The board shall include with uniformed services or 7094  
overseas absent voter's ballots sent electronically, including 7095  
by facsimile machine, an instruction sheet for preparing a 7096  
gummed envelope in which the ballots shall be returned. The 7097  
envelope for returning ballots sent by either means shall have 7098  
printed or written on its face a form substantially as follows 7099  
and shall include an explanation of the acceptable forms of 7100  
photo identification: 7101

"Identification Envelope Statement of Voter 7102

I, \_\_\_\_\_ (~~Name~~ full name of voter as it 7103  
appears on the voter's Ohio driver's license or state 7104  
identification card or, if the voter does not have an Ohio 7105  
driver's license or state identification card, the voter's full 7106  
name as it appears on the voter's social security card), declare 7107  
under penalty of election falsification that the within ballot 7108  
or ballots contained no voting marks of any kind when I received 7109  
them, and I caused the ballot or ballots to be marked, enclosed 7110  
in the identification envelope, and sealed in that envelope. 7111

My voting residence in Ohio is 7112

\_\_\_\_\_ 7113

(Street and Number, if any, or Rural Route and Number) 7114

of \_\_\_\_\_ (City, Village, or Township) 7115

Ohio, which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_ 7116

in that city, village, or township. 7117

If I have a confidential voter registration record, I am 7118

providing my program participant identification number instead 7119

of my residence address: \_\_\_\_\_ 7120

The primary election ballots, if any, within this envelope 7121

are primary election ballots of the \_\_\_\_\_ Party. 7122

Ballots contained within this envelope are to be voted at 7123

the \_\_\_\_\_ (general, special, or primary) election to be 7124

held on the \_\_\_\_\_ day of 7125

\_\_\_\_\_, \_\_\_\_\_, 7126

My date of birth is \_\_\_\_\_ (Month and Day), 7127

\_\_\_\_\_ (Year). 7128

~~(Voter must provide one of the following:)~~ 7129

~~My~~ If I have one, my Ohio driver's license or state 7130

identification card number is \_\_\_\_\_ (Driver's license 7131

or state identification card number). 7132

~~The~~ Only if I don't have an Ohio driver's license or state 7133

identification card number, the last four digits of my Social 7134

Security Number are \_\_\_\_\_ (Last four digits of Social 7135

Security Number). 7136

(Voter must provide one of the following:) 7137

~~\_\_\_\_\_ In lieu of providing a driver's license or state~~ 7138

~~identification card number or the last four digits of my Social~~ 7139

~~Security Number,~~ I am enclosing a legible copy of the front and 7140

back of my photo identification in the return envelope in which 7141

this identification envelope will be mailed. Acceptable photo 7142

identification is an Ohio driver's license, state identification 7143

card, or interim identification form issued by the Bureau of 7144

Motor Vehicles, a United States passport or passport card, a 7145

United States military identification card, an Ohio National 7146

Guard identification card, or a United States Department of 7147

Veterans Affairs identification card. Your photo identification 7148

must include your name and photograph and must not be expired. 7149

I am enclosing a completed affidavit of religious 7150  
objection to being photographed in the return envelope in which 7151  
this identification envelope will be mailed. 7152

I hereby declare, under penalty of election falsification, 7153  
that the statements above are true, as I verily believe. 7154

\_\_\_\_\_ 7155

(Signature of Voter) 7156

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 7157  
THE FIFTH DEGREE." 7158

(B) The board shall also mail with the ballots and the 7159  
unsealed identification envelope sent by mail an unsealed return 7160  
envelope, gummed, ready for sealing, for use by the voter in 7161  
returning the voter's marked ballots to the office of the board. 7162  
The board shall send with the ballots and the instruction sheet 7163  
for preparing a gummed envelope sent electronically, including 7164  
by facsimile machine, an instruction sheet for preparing a 7165  
second gummed envelope as described in this division, for use by 7166  
the voter in returning that voter's marked ballots to the board. 7167  
The return envelope shall have two parallel lines, each one 7168  
quarter of an inch in width, printed across its face paralleling 7169  
the top, with an intervening space of one quarter of an inch 7170  
between such lines. The top line shall be one and one-quarter 7171  
inches from the top of the envelope. Between the parallel lines 7172  
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 7173  
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 7174  
lines shall be printed in the upper left corner on the face of 7175  
the envelope for the use by the voter in placing the voter's 7176  
complete military, naval, or mailing address on these lines. The 7177  
post-office address of the office of the board shall be printed 7178

on the face of such envelope in the lower right portion below 7179  
the bottom parallel line. 7180

(C) On the back of each identification envelope and each 7181  
return envelope shall be printed the following: 7182

"Instructions to voter: 7183

If the flap on this envelope is so firmly stuck to the 7184  
back of the envelope when received by you as to require forcible 7185  
opening in order to use it, open the envelope in the manner 7186  
least injurious to it, and, after marking your ballots and 7187  
enclosing same in the envelope for mailing them to the board of 7188  
elections, reclose the envelope in the most practicable way, by 7189  
sealing or otherwise, and sign the blank form printed below. 7190

The flap on this envelope was firmly stuck to the back of 7191  
the envelope when received, and required forced opening before 7192  
sealing and mailing. 7193

\_\_\_\_\_ 7194

(Signature of voter)" 7195

(D) Division (C) of this section does not apply when 7196  
absent voter's ballots are sent electronically, including by 7197  
facsimile machine. 7198

(E) Except as otherwise provided in this division and in 7199  
sections 3505.24 and 3509.08 of the Revised Code, an election 7200  
official shall not fill out any portion of an identification 7201  
envelope statement of voter or an absent voter's ballot on 7202  
behalf of an elector. A board of elections may preprint only an 7203  
elector's name and address on an identification envelope 7204  
statement of voter before mailing or electronically transmitting 7205  
absent voter's ballots to the elector, except that if the 7206



elector has a confidential voter registration record, as 7207  
described in section 111.44 of the Revised Code, the board of 7208  
elections shall not preprint the elector's address on the 7209  
identification envelope statement of voter. 7210

**Sec. 3511.09.** (A) Upon receiving uniformed services or 7211  
overseas absent voter's ballots, the elector shall cause the 7212  
questions on the face of the identification envelope to be 7213  
answered, and, by writing the elector's usual signature in the 7214  
proper place on the identification envelope, the elector shall 7215  
declare under penalty of election falsification that the answers 7216  
to those questions are true and correct to the best of the 7217  
elector's knowledge and belief. Then, the elector shall note 7218  
whether there are any voting marks on the ballot. If there are 7219  
any voting marks, the ballot shall be returned immediately to 7220  
the board of elections; otherwise, the elector shall cause the 7221  
ballot to be marked, folded separately so as to conceal the 7222  
markings on it, deposited in the identification envelope, and 7223  
securely sealed in the identification envelope. The elector 7224  
shall sign the identification envelope not later than the close 7225  
of the polls on the day of the election. The elector then shall 7226  
cause the identification envelope to be placed within the return 7227  
envelope, sealed in the return envelope, and mailed to the board 7228  
of elections to which it is addressed. 7229

(B) The elector shall ~~provide one~~ do both of the 7230  
following: 7231

(1) ~~The~~ Provide the elector's Ohio driver's license or 7232  
state identification card number on the statement of voter on 7233  
the identification envelope, or if the elector does not have an 7234  
Ohio driver's license or state identification card, provide the 7235  
last four digits of the elector's social security number; 7236

(2) ~~The last four digits of the elector's social security number on the statement of voter on the identification envelope,~~ 7237  
7238

~~(3) A~~ Enclose a copy of the elector's photo identification or a completed affidavit of religious objection to being photographed, as described in section 3505.19 of the Revised Code, in the return envelope with the identification envelope. 7239  
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(C) Every uniformed services or overseas absent voter's ballot identification envelope shall be accompanied by the following statement in boldface capital letters: WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 7243  
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7245  
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(D) The elector shall cause the uniformed services or overseas absent voter's ballots to be returned to the office of the board of elections in a manner described in division (C) of section 3509.05 of the Revised Code, provided that the elector shall not be required to prepay the postage on the return envelope if, under 39 U.S.C. 3406, no postage is required. 7248  
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**Sec. 3511.11.** (A) Uniformed services or overseas absent voter's ballots delivered to the office of the board of elections not later than the close of the polls on election day shall be processed and counted in the manner provided in ~~section~~ sections 3509.06, 3509.07, and 3509.09 of the Revised Code. 7254  
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(B) A return envelope is not required to be postmarked in order for a uniformed services or overseas absent voter's ballot contained in it to be valid. Except as otherwise provided in this division, whether or not the return envelope containing the ballot is postmarked, contains a late postmark, or contains an illegible postmark, a uniformed services or overseas absent voter's ballot that is received by mail after the close of the 7259  
7260  
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7264  
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polls on election day through the fourth day after the election 7266  
day shall be processed and counted on the fifth day after the 7267  
election day at the office of the board of elections in the 7268  
manner provided in section 3509.06 of the Revised Code if the 7269  
voter signed the identification envelope by the close of the 7270  
polls on election day. However, if a return envelope containing 7271  
a uniformed services or overseas absent voter's ballot is so 7272  
received, but the identification envelope in it is signed after 7273  
the close of the polls on election day, the uniformed services 7274  
or overseas absent voter's ballot shall not be counted. 7275

(C) The following types of uniformed services or overseas 7276  
absent voter's ballots shall not be counted: 7277

(1) Uniformed services or overseas absent voter's ballots 7278  
that are received by the board of elections after the close of 7279  
the polls on the day of the election, and that contain an 7280  
identification envelope that is signed after the close of the 7281  
polls on election day; 7282

(2) Uniformed services or overseas absent voter's ballots 7283  
that are received after the fourth day following the election. 7284

The uncounted ballots shall be preserved in their 7285  
identification envelopes unopened until the time provided by 7286  
section 3505.31 of the Revised Code for the destruction of all 7287  
other ballots used at the election for which ballots were 7288  
provided, at which time they shall be destroyed. 7289

**Sec. 3513.18.** Party primaries shall be held at the same 7290  
place and time, ~~but and~~ there shall be ~~separate a single set of~~ 7291  
pollbooks and tally sheets provided at each polling place ~~for~~ 7292  
~~each party participating in the election.~~ The pollbooks shall 7293  
include, for each elector, the political party, if any, whose 7294

ballot the elector voted in the most recent primary election 7295  
within the current year and the immediately preceding two 7296  
calendar years. 7297

If a special election on a question or issue is held on 7298  
the day of a primary election, ~~there shall be provided in the~~ 7299  
~~pollbooks pages on which shall be recorded the names of all~~ 7300  
~~electors voting on said question or issue and not voting in such~~ 7301  
primary any elector may choose to vote only on the questions or 7302  
issues appearing on the ballot. It shall not be necessary for 7303  
electors ~~desiring to vote only on the question or issue who cast~~ 7304  
an issues-only ballot to declare their political affiliation. 7305

The precinct election officials shall record in the 7306  
pollbook the political party whose ballot an elector cast at the 7307  
primary election or the fact that the elector cast an issues- 7308  
only ballot, as applicable. 7309

**Sec. 3513.19.** (A) It is the duty of any precinct election 7310  
official, whenever any such official doubts that a person 7311  
attempting to vote at a primary election is legally entitled to 7312  
vote at that election, to challenge the right of that person to 7313  
vote. The right of a person to vote at a primary election may be 7314  
challenged ~~upon the following grounds as follows:~~ 7315

(1) ~~That the person whose right to vote is challenged is~~ 7316  
~~not a legally qualified elector~~ As described in section 3505.20 7317  
of the Revised Code; 7318

(2) ~~That the person has received or has been promised some~~ 7319  
~~valuable reward or consideration for the person's vote;~~ 7320

~~(3) That~~ On the ground that the person is not affiliated 7321  
with or is not a member of the political party whose ballot the 7322  
person desires to vote. Such party affiliation shall be 7323

determined by examining the elector's voting record for the 7324  
current year and the immediately preceding two calendar years as 7325  
shown on the voter's registration card, using the standards of 7326  
affiliation specified in the seventh paragraph of section 7327  
3513.05 of the Revised Code. Division ~~(A)(3)~~ (A)(2) of this 7328  
section and the seventh paragraph of section 3513.05 of the 7329  
Revised Code do not prohibit a person who holds an elective 7330  
office for which candidates are nominated at a party primary 7331  
election from doing any of the following: 7332

(a) If the person voted as a member of a different 7333  
political party at any primary election within the current year 7334  
and the immediately preceding two calendar years, being a 7335  
candidate for nomination at a party primary held during the 7336  
times specified in division (C)(2) of section 3513.191 of the 7337  
Revised Code provided that the person complies with the 7338  
requirements of that section; 7339

(b) Circulating the person's own petition of candidacy for 7340  
party nomination in the primary election. 7341

(B) When the right of a person to vote is challenged upon 7342  
the ground set forth in division ~~(A)(3)~~ (A)(2) of this section, 7343  
membership in or political affiliation with a political party 7344  
shall be determined by the person's written statement, made- 7345  
signed under penalty of election falsification, that the person 7346  
desires to be affiliated with and supports the principles of the 7347  
political party whose primary ballot the person desires to vote. 7348  
If the person refuses to sign that statement under penalty of 7349  
election falsification, the person shall be permitted to cast a 7350  
provisional ballot under section 3505.181 of the Revised Code. 7351

**Sec. 3599.12.** (A) No person shall do any of the following: 7352

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

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

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

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

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

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

**Sec. 4507.53.** Digitalized photographic records of the department of public safety may be released only to the following:

(A) State, local, or federal governmental agencies for criminal justice purposes;

(B) Any court;

(C) The American association of motor vehicle administrators to allow state department of motor vehicles participating in the association's state-to-state verification services and digital image access and exchange program to use the photographic records for identity verification purposes;

(D) The department of job and family services for the purpose of carrying out the department's functions under Chapter 4141. of the Revised Code;

(E) The secretary of state for the purposes of complying with division (A) (5) of section 3503.152, division (B) of section 3503.20, and division (C) (4) of section 3503.201 of the Revised Code.

**Section 2.** That existing sections 111.26, 111.44, 3501.01, 3501.05, 3501.11, 3501.17, 3501.22, 3501.30, 3503.01, 3503.07, 3503.09, 3503.10, 3503.11, 3503.13, 3503.14, 3503.15, 3503.151, 3503.153, 3503.16, 3503.19, 3503.20, 3503.21, 3503.24, 3503.26, 3503.28, 3503.29, 3503.33, 3505.18, 3505.181, 3505.182, 3505.183, 3505.19, 3505.20, 3506.01, 3506.03, 3506.04, 3506.05, 3506.06, 3506.07, 3506.08, 3506.09, 3506.10, 3506.15, 3506.23, 3509.02, 3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.09, 3511.11, 3513.18, 3513.19, 3599.12, and 4507.53 of the Revised Code are hereby repealed.

**Section 3.** That sections 3503.111, 3503.152, 3503.18, 3505.22, 3506.021, 3506.24, 3511.12, 3511.13, and 3513.20 of the Revised Code are hereby repealed.

**Section 4.** The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of

simultaneous operation, finds that the following sections, 7410  
presented in this act as composites of the sections as amended 7411  
by the acts indicated, are the resulting versions of the 7412  
sections in effect prior to the effective date of the sections 7413  
as presented in this act: 7414

Section 3503.21 of the Revised Code as amended by both 7415  
H.B. 359 and S.B. 63 of the 131st General Assembly. 7416

Section 3505.183 of the Revised Code as amended by both 7417  
H.B. 45 and H.B. 458 of the 134th General Assembly. 7418