

I_136_0673-6

136th General Assembly
Regular Session
2025-2026

Sub. S. B. No. 153

To amend sections 303.12, 303.59, 307.94, 307.95, 1
3501.01, 3501.38, 3501.381, 3501.39, 3503.13, 2
3503.14, 3503.15, 3503.151, 3503.152, 3503.153, 3
3503.16, 3503.18, 3503.19, 3503.20, 3503.21, 4
3503.33, 3505.181, 3505.182, 3505.183, 3505.20, 5
3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 6
3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 7
3511.04, 3511.05, 3511.09, 3511.11, 3511.14, 8
3513.041, 3513.05, 3513.07, 3513.261, 3513.262, 9
3513.263, 3517.01, 3517.12, 3519.02, 3519.05, 10
3519.16, 3599.12, 3599.21, 4301.33, 4301.331, 11
4301.332, 4301.333, 4301.334, and 4305.14 and to 12
enact sections 3501.391, 3503.201, 3503.202, and 13
3511.052 of the Revised Code to require 14
verification of an elector's citizenship before 15
the elector may vote and to modify procedures 16
regarding voter registration, voter roll 17
maintenance, absent voting, and election 18
petitions. 19

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



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Section 1. That sections 303.12, 303.59, 307.94, 307.95, 20
3501.01, 3501.38, 3501.381, 3501.39, 3503.13, 3503.14, 3503.15, 21
3503.151, 3503.152, 3503.153, 3503.16, 3503.18, 3503.19, 22
3503.20, 3503.21, 3503.33, 3505.181, 3505.182, 3505.183, 23
3505.20, 3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 24
3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.09, 25
3511.11, 3511.14, 3513.041, 3513.05, 3513.07, 3513.261, 26
3513.262, 3513.263, 3517.01, 3517.12, 3519.02, 3519.05, 3519.16, 27
3599.12, 3599.21, 4301.33, 4301.331, 4301.332, 4301.333, 28
4301.334, and 4305.14 be amended and sections 3501.391, 29
3503.201, 3503.202, and 3511.052 of the Revised Code be enacted 30
to read as follows: 31

Sec. 303.12. (A) (1) Amendments to the zoning resolution 32
may be initiated by motion of the county rural zoning 33
commission, by the passage of a resolution by the board of 34
county commissioners, or by the filing of an application by one 35
or more of the owners or lessees of property within the area 36
proposed to be changed or affected by the proposed amendment 37
with the county rural zoning commission. The board of county 38
commissioners may require that the owner or lessee of property 39
filing an application to amend the zoning resolution pay a fee 40
to defray the cost of advertising, mailing, filing with the 41
county recorder, and other expenses. If the board of county 42
commissioners requires such a fee, it shall be required 43
generally, for each application. The board of county 44
commissioners, upon the passage of such a resolution, shall 45
certify it to the county rural zoning commission. 46

(2) Upon the adoption of a motion by the county rural 47
zoning commission, the certification of a resolution by the 48
board of county commissioners to the commission, or the filing 49
of an application by property owners or lessees as described in 50

division (A) (1) of this section with the commission, the 51
commission shall set a date for a public hearing, which date 52
shall not be less than twenty nor more than forty days from the 53
date of adoption of such a motion, the date of the certification 54
of such a resolution, or the date of the filing of such an 55
application. Notice of the hearing shall be given by the 56
commission by one publication at least ten days before the date 57
of the hearing, using at least one of the following methods: 58

(a) In the print or digital edition of one or more 59
newspapers of general circulation in each township affected by 60
the proposed amendment; 61

(b) On the official public notice web site established 62
under section 125.182 of the Revised Code; 63

(c) On the web site and social media account of the 64
county. 65

(B) If the proposed amendment intends to rezone or 66
redistrict ten or fewer parcels of land, as listed on the county 67
auditor's current tax list, written notice of the hearing shall 68
be mailed by the county rural zoning commission, by first class 69
mail, at least ten days before the date of the public hearing to 70
all owners of property within and contiguous to and directly 71
across the street from the area proposed to be rezoned or 72
redistricted to the addresses of those owners appearing on the 73
county auditor's current tax list. The failure of delivery of 74
that notice shall not invalidate any such amendment. 75

(C) If the proposed amendment intends to rezone or 76
redistrict ten or fewer parcels of land as listed on the county 77
auditor's current tax list, the published and mailed notices 78
shall set forth the time, date, and place of the public hearing 79

and include all of the following:	80
(1) The name of the county rural zoning commission that will be conducting the hearing;	81 82
(2) A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;	83 84
(3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;	85 86 87 88
(4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;	89 90 91
(5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;	92 93 94 95
(6) The name of the person responsible for giving notice of the public hearing by publication, by mail, or by both publication and mail;	96 97 98
(7) A statement that, after the conclusion of the hearing, the matter will be submitted to the board of county commissioners for its action;	99 100 101
(8) Any other information requested by the commission.	102
(D) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:	103 104 105 106 107

(1) The name of the county rural zoning commission that	108
will be conducting the hearing on the proposed amendment;	109
(2) A statement indicating that the motion, application,	110
or resolution is an amendment to the zoning resolution;	111
(3) The time and place where the text and maps of the	112
proposed amendment will be available for examination for a	113
period of at least ten days prior to the hearing;	114
(4) The name of the person responsible for giving notice	115
of the hearing by publication;	116
(5) A statement that, after the conclusion of the hearing,	117
the matter will be submitted to the board of county	118
commissioners for its action;	119
(6) Any other information requested by the commission.	120
Hearings shall be held in the county court house or in a	121
public place designated by the commission.	122
(E) Within five days after the adoption of the motion	123
described in division (A) of this section, the certification of	124
the resolution described in division (A) of this section, or the	125
filing of the application described in division (A) of this	126
section, the county rural zoning commission shall transmit a	127
copy of it together with text and map pertaining to it to the	128
county or regional planning commission, if there is such a	129
commission.	130
The county or regional planning commission shall recommend	131
the approval or denial of the proposed amendment or the approval	132
of some modification of it and shall submit its recommendation	133
to the county rural zoning commission. The recommendation shall	134
be considered at the public hearing held by the county rural	135

zoning commission on the proposed amendment. 136

The county rural zoning commission, within thirty days 137
after the hearing, shall recommend the approval or denial of the 138
proposed amendment, or the approval of some modification of it, 139
and shall submit that recommendation together with the motion, 140
application, or resolution involved, the text and map pertaining 141
to the proposed amendment, and the recommendation of the county 142
or regional planning commission on it to the board of county 143
commissioners. 144

The board of county commissioners, upon receipt of that 145
recommendation, shall set a time for a public hearing on the 146
proposed amendment, which date shall be not more than thirty 147
days from the date of the receipt of that recommendation. Notice 148
of the hearing shall be given by the board by one publication at 149
least ten days before the date of the hearing, using at least 150
one of the following methods: 151

(1) In the print or digital edition of one or more 152
newspapers of general circulation in the county; 153

(2) On the official public notice web site established 154
under section 125.182 of the Revised Code; 155

(3) On the web site and social media account of the 156
county. 157

(F) If the proposed amendment intends to rezone or 158
redistrict ten or fewer parcels of land as listed on the county 159
auditor's current tax list, the published notice shall set forth 160
the time, date, and place of the public hearing and include all 161
of the following: 162

(1) The name of the board of county commissioners that 163
will be conducting the hearing; 164

(2) A statement indicating that the motion, application,	165
or resolution is an amendment to the zoning resolution;	166
(3) A list of the addresses of all properties to be	167
rezoned or redistricted by the proposed amendment and of the	168
names of owners of those properties, as they appear on the	169
county auditor's current tax list;	170
(4) The present zoning classification of property named in	171
the proposed amendment and the proposed zoning classification of	172
that property;	173
(5) The time and place where the motion, application, or	174
resolution proposing to amend the zoning resolution will be	175
available for examination for a period of at least ten days	176
prior to the hearing;	177
(6) The name of the person responsible for giving notice	178
of the hearing by publication, by mail, or by both publication	179
and mail;	180
(7) Any other information requested by the board.	181
(G) If the proposed amendment alters the text of the	182
zoning resolution, or rezones or redistricts more than ten	183
parcels of land as listed on the county auditor's current tax	184
list, the published notice shall set forth the time, date, and	185
place of the public hearing and include all of the following:	186
(1) The name of the board of county commissioners that	187
will be conducting the hearing on the proposed amendment;	188
(2) A statement indicating that the motion, application,	189
or resolution is an amendment to the zoning resolution;	190
(3) The time and place where the text and maps of the	191
proposed amendment will be available for examination for a	192

period of at least ten days prior to the hearing;	193
(4) The name of the person responsible for giving notice	194
of the hearing by publication;	195
(5) Any other information requested by the board.	196
(H) Within twenty days after its public hearing, the board	197
of county commissioners shall either adopt or deny the	198
recommendation of the county rural zoning commission or adopt	199
some modification of it. If the board denies or modifies the	200
commission's recommendation, a majority vote of the board shall	201
be required.	202
Except as provided in division (I) of this section, the	203
proposed amendment, if adopted by the board, shall become	204
effective in thirty days after the date of its adoption, unless,	205
within thirty days after the adoption, there is presented to the	206
board of county commissioners a petition, signed by a number of	207
qualified voters residing in the unincorporated area of the	208
township or part of that unincorporated area included in the	209
zoning plan equal to not less than eight per cent of the total	210
vote cast for all candidates for governor in that area at the	211
most recent general election at which a governor was elected,	212
requesting the board to submit the amendment to the electors of	213
that area for approval or rejection at a special election to be	214
held on the day of the next primary or general election	215
occurring at least ninety days after the petition is submitted.	216
Each part of this petition shall contain the number and the full	217
and correct title, if any, of the zoning amendment resolution,	218
motion, or application, furnishing the name by which the	219
amendment is known and a brief summary of its contents. In	220
addition to meeting the requirements of this section, each	221
petition shall be governed by the rules specified in section	222

3501.38 of the Revised Code.	223
The form of a petition calling for a zoning referendum and	224
the statement of the circulator shall be substantially as	225
follows:	226
"PETITION FOR ZONING REFERENDUM	227
(if the proposal is identified by a particular name or number,	228
or both, these should be inserted here) _____	229
A proposal to amend the zoning map of the unincorporated	230
area of _____ Township, _____ County,	231
Ohio, adopted _____ (date) _____ (followed by brief	232
summary of the proposal).	233
To the Board of County Commissioners of _____	234
County, Ohio:	235
We, the undersigned, being electors residing in the	236
unincorporated area of _____ Township, included within	237
the _____ County Zoning Plan, equal to not less than	238
eight per cent of the total vote cast for all candidates for	239
governor in the area at the preceding general election at which	240
a governor was elected, request the Board of County	241
Commissioners to submit this amendment of the zoning resolution	242
to the electors of _____ Township residing within the	243
unincorporated area of the township included in the	244
_____ County Zoning Resolution, for approval or	245
rejection at a special election to be held on the day of the	246
next primary or general election to be held on	247
_____ (date) _____, pursuant to section 303.12 of the Revised	248
Code.	249
Street Address	250
Date of	

Signature or R.F.D. Township Precinct County Signing 251

_____ 252
_____ 253

STATEMENT OF CIRCULATOR 254

I, _____ (name of circulator) _____, 255
declare under penalty of election falsification that I ~~am an~~ 256
~~elector of the state of Ohio and~~ reside at the address appearing 257
below my signature; that I am the circulator of the foregoing 258
part petition containing _____ (number) _____ signatures; that I 259
have witnessed the affixing of every signature; that all signers 260
were to the best of my knowledge and belief qualified to sign; 261
and that every signature is to the best of my knowledge and 262
belief the signature of the person whose signature it purports 263
to be or of an attorney in fact acting pursuant to section 264
3501.382 of the Revised Code. (The circulator shall personally 265
write the number of electors whose signatures the petition paper 266
contains.) 267

For the purposes of any proceeding related to this 268
petition, I submit to the jurisdiction of the courts of the 269
State of Ohio, the Ohio Secretary of State, and the board of 270
elections of the county in which I have circulated this 271
petition. I understand that I may be required to testify or to 272
produce evidence in such a proceeding. I agree to receive any 273
service of process at the residence address I have provided. 274

I am compensated to circulate this petition by 275
_____ (name and address). (The circulator 276
shall complete the preceding sentence as required by section 277
3501.38 of the Revised Code if the circulator is being 278
compensated to circulate the petition.) 279

_____	280
(Signature of circulator)	281
_____	282
(Address of circulator's	283
permanent residence in this	284
_____ state)	285
_____	286
(City, village, or township,	287
and zip code)	288
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A	289
FELONY OF THE FIFTH DEGREE."	290
No amendment for which such a referendum vote has been	291
requested shall be put into effect unless a majority of the vote	292
cast on the issue is in favor of the amendment. Upon	293
certification by the board of elections that the amendment has	294
been approved by the voters, it shall take immediate effect.	295
Within five working days after an amendment's effective	296
date, the board of county commissioners shall file the text and	297
maps of the amendment in the office of the county recorder and	298
with the regional or county planning commission, if one exists.	299
The failure to file any amendment, or any text and maps,	300
or duplicates of any of these documents, with the office of the	301
county recorder or the county or regional planning commission as	302
required by this section does not invalidate the amendment and	303
is not grounds for an appeal of any decision of the board of	304
zoning appeals.	305
(I) If a proposed amendment establishes or modifies	306
planned-unit development regulations, the following apply in	307

lieu of the contrary provisions of division (H) of this section: 308

(1) The petition shall be signed by a number of registered 309
electors residing in the territory where the planned-unit 310
development regulations apply or will apply equal to not less 311
than thirty-five per cent of the total vote cast for all 312
candidates for governor in that territory at the most recent 313
general election at which a governor was elected. 314

(2) The board of elections shall determine the sufficiency 315
and validity of the petition not later than thirty days after 316
the petition is certified to the board of elections by the board 317
of county commissioners. 318

(3) If the board of elections determines there is an 319
insufficient number of valid signatures, the board immediately 320
shall notify the person who presented the petition. The person 321
may submit additional signatures not later than ten days after 322
the notification. 323

Sec. 303.59. A resolution designating a restricted area 324
prohibiting the construction of utility facilities, if adopted 325
by the board of county commissioners, becomes effective thirty 326
days after the date of its adoption, unless, within thirty days 327
after the adoption, there is presented to the board of county 328
commissioners a petition, signed by a number of registered 329
electors residing in the county equal to not less than eight per 330
cent of the total vote cast for all candidates for governor in 331
that county at the most recent general election at which a 332
governor was elected, requesting the board of county 333
commissioners to submit the resolution to the electors of that 334
county for approval or rejection at a special election to be 335
held on the day of the next primary or general election that 336
occurs at least one hundred twenty days after the petition is 337

filed. Each part petition shall contain the number and the full 338
and correct title, if any, of the resolution, motion, or 339
application, furnishing the name by which the resolution is 340
known and a brief summary of its contents. In addition to 341
meeting the requirements of this section, each petition shall be 342
governed by the rules specified in section 3501.38 of the 343
Revised Code. 344

The form of a petition calling for a referendum on the 345
designation of a restricted area and the statement of the 346
circulator shall be substantially as follows: 347

"PETITION FOR REFERENDUM ON THE DESIGNATION OF A 348
RESTRICTED AREA PROHIBITING THE CONSTRUCTION OF UTILITY 349
FACILITIES 350

(if the proposal is identified by a particular name or 351
number, or both, these should be inserted here) _____ 352

A proposal to designate a restricted area prohibiting the 353
construction of utility facilities in the unincorporated area of 354
_____ county, Ohio, adopted _____ (date) (followed by 355
brief summary of the resolution). 356

To the board of county commissioners of _____ county, 357
Ohio: 358

We, the undersigned, being electors residing in 359
_____ county, equal to not less than eight per cent of the 360
total vote cast for all candidates for governor in the county at 361
the preceding general election at which a governor was elected, 362
request the board of county commissioners to submit this 363
designation of a restricted area to the electors of _____ 364
county, for approval or rejection at a special election to be 365
held on the day of the primary or general election to be held on 366

_____ (date), pursuant to section 303.59 of the Revised Code. 367
368

_____ Signature 369

_____ Residence address 370

_____ Date of signing 371

STATEMENT OF CIRCULATOR 372

I, _____ (name of circulator), declare under penalty 373
of election falsification that I reside at the address appearing 374
below my signature; that I am the circulator of the foregoing 375
part petition containing _____ (number) signatures; that I 376
have witnessed the affixing of every signature; that all signers 377
were to the best of my knowledge and belief qualified to sign; 378
and that every signature is to the best of my knowledge and 379
belief the signature of the person whose signature it purports 380
to be or of an attorney in fact acting pursuant to section 381
3501.382 of the Revised Code. (The circulator shall personally 382
write the number of electors whose signatures the petition paper 383
contains.) 384

For the purposes of any proceeding related to this 385
petition, I submit to the jurisdiction of the courts of the 386
State of Ohio, the Ohio Secretary of State, and the board of 387
elections of the county in which I have circulated this 388
petition. I understand that I may be required to testify or to 389
produce evidence in such a proceeding. I agree to receive any 390
service of process at the residence address I have provided. 391

I am compensated to circulate this petition by 392
_____ (name and address). (The circulator 393
shall complete the preceding sentence as required by section 394
3501.38 of the Revised Code if the circulator is being 395

<u>compensated to circulate the petition.)</u>	396
_____ (Signature of circulator)	397
_____ (Circulator's residence address)	398
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A	399
FELONY OF THE FIFTH DEGREE."	400
The petition shall be filed with the board of county	401
commissioners. Within two weeks after receiving a petition filed	402
under this section, the board of county commissioners shall	403
certify the petition to the board of elections. A petition filed	404
under this section shall be certified to the board of elections	405
not less than ninety days prior to the election at which the	406
question is to be voted upon.	407
The board of elections shall determine the sufficiency and	408
validity of each petition certified to it by a board of county	409
commissioners under this section. If the board of elections	410
determines that a petition is sufficient and valid, the question	411
shall be voted upon at a special election to be held on the day	412
of the next primary or general election that occurs at least one	413
hundred twenty days after the date the petition is filed with	414
the board of county commissioners, regardless of whether any	415
election will be held to nominate or elect candidates on that	416
day.	417
No resolution designating a restricted area for which such	418
a referendum vote has been requested shall be put into effect	419
unless a majority of the vote cast on the issue is in favor of	420
the resolution. Upon certification by the board of elections	421
that the resolution has been approved by the voters, it shall	422
take immediate effect.	423
Within five working days after the resolution's effective	424

date, the board of county commissioners shall file the text of 425
the resolution and maps of the restricted area in the office of 426
the county recorder and with the county or regional planning 427
commission, if one exists. 428

The failure to file any resolution, or any text and maps, 429
or duplicates of any of these documents, with the office of the 430
county recorder as required by this section does not invalidate 431
the resolution. 432

Sec. 307.94. Electors of a county, equal in number to ten 433
per cent of the number who voted for governor in the county at 434
the most recent gubernatorial election, may file, not later than 435
one hundred fifteen days before the date of a general election, 436
a petition with the board of county commissioners asking that 437
the question of the adoption of a county charter in the form 438
attached to the petition be submitted to the electors of the 439
county. The petition shall be available for public inspection at 440
the offices of the county commissioners during regular business 441
hours until four p.m. of the one hundred eleventh day before the 442
election, at which time the board shall, by resolution, certify 443
the petition to the board of elections of the county for 444
submission to the electors of the county, unless the signatures 445
are insufficient or the petitions otherwise invalid, at the next 446
general election. 447

Such electors may, in the alternative not later than the 448
one hundred thirtieth day before the date of a general election, 449
file such a petition with the board of elections of the county. 450
In such case the board of elections shall immediately proceed to 451
determine whether the petition and the signatures on the 452
petition meet the requirements of law and to count the number of 453
valid signatures and to note opposite each invalid signature the 454

reason for the invalidity. The board of elections shall complete 455
its examination of the petition and the signatures and shall 456
submit a report to the board of county commissioners not later 457
than the one hundred twentieth day before the date of the 458
general election certifying whether the petition is valid or 459
invalid and, if invalid, the reasons for invalidity, whether 460
there are sufficient valid signatures, and the number of valid 461
and invalid signatures. The petition and a copy of the report to 462
the board of county commissioners shall be available for public 463
inspection at the board of elections. If the petition is 464
certified by the board of elections to be valid and to have 465
sufficient valid signatures, the board of county commissioners 466
shall forthwith and not later than four p.m. on the one hundred 467
eleventh day before the general election, by resolution, certify 468
the petition to the board of elections for submission to the 469
electors of the county at the next general election. If the 470
petition is certified by the board of elections to be invalid or 471
to have insufficient valid signatures, or both, the petitioners' 472
committee may protest such findings or solicit additional 473
signatures as provided in section 307.95 of the Revised Code, or 474
both, or request that the board of elections proceed to 475
establish the validity or invalidity of the petition and the 476
sufficiency or insufficiency of the signatures in an action 477
before the court of common pleas in the county. Such action must 478
be brought within three days after the request has been made, 479
and the case shall be heard forthwith by a judge or such court 480
whose decision shall be certified to the board of elections and 481
to the board of county commissioners in sufficient time to 482
permit the board of county commissioners to perform its duty to 483
certify the petition, if it is determined by the court to be 484
valid and contain sufficient valid signatures, to the board of 485
elections not later than four p.m. on the one hundred eleventh 486

day prior to the general election for submission to the electors 487
at such general election. 488

A county charter to be submitted to the voters by petition 489
shall be considered to be attached to the petition if it is 490
printed as a part of the petition. A county charter petition may 491
consist of any number of separate petition papers. Each part 492
shall have attached a copy of the charter to be submitted to the 493
electors, and each part shall otherwise meet all the 494
requirements of law for a county charter petition. Section 495
3501.38 of the Revised Code applies to county charter petitions. 496

The petitioners shall designate in the petition the names 497
~~and addresses~~ of a committee of not fewer than three nor more 498
than five persons who will represent them in all matters 499
relating to the petition. Notice of all matters or proceedings 500
pertaining to such petitions may be served on the ~~committee, or~~ 501
~~any of them~~ committee's agent designated under division (N) (1) 502
of section 3501.38 of the Revised Code, either personally or by 503
certified mail, or by leaving it at the agent's usual place of 504
residence ~~of each of them~~. 505

Sec. 307.95. (A) When a county charter petition has been 506
certified to the board of elections pursuant to section 307.94 507
of the Revised Code, the board shall immediately proceed to 508
determine whether the petition and the signatures on the 509
petition meet the requirements of law, including section 3501.38 510
of the Revised Code, and to count the number of valid 511
signatures. The board shall note opposite each invalid signature 512
the reason for the invalidity. The board shall complete its 513
examination of the petition and the signatures not later than 514
ten days after receipt of the petition certified by the board of 515
county commissioners and shall submit a report to the board of 516

county commissioners not less than one hundred days before the 517
election certifying whether the petition is valid or invalid 518
and, if invalid, the reasons for the invalidity, whether there 519
are sufficient valid signatures, and the number of valid and 520
invalid signatures. The petition and a copy of the report to the 521
board of county commissioners shall be available for public 522
inspection at the board of elections. If the petition is 523
determined by the board of elections to be valid but the number 524
of valid signatures is insufficient, the board of county 525
commissioners shall immediately notify the committee for the 526
petitioners, who may solicit and file additional signatures to 527
the petition pursuant to division (E) of this section or protest 528
the board of election's findings pursuant to division (B) of 529
this section, or both. 530

(B) Protests against the findings of the board of 531
elections concerning the validity or invalidity of a county 532
charter petition or any signature on such petition may be filed 533
by any elector eligible to vote at the next general election 534
with the board of elections not later than four p.m. of the 535
ninety-seventh day before the election in accordance with 536
section 3501.391 of the Revised Code. Each protest shall 537
identify the part of, or omission from, the petition or the 538
signature or signatures to which the protest is directed, and 539
shall set forth specifically the reason for the protest. A 540
protest must be in writing, signed by the elector making the 541
protest, and shall include the protestor's address. Each protest 542
shall be filed in duplicate. 543

(C) The board of elections shall deliver or mail by 544
certified mail one copy of each protest filed with it to the 545
secretary of state. The secretary of state, within ten days 546
after receipt of the protests, shall determine the sufficiency 547

or insufficiency of the signatures and the validity or 548
invalidity of the petition, including whether the petition 549
conforms to the requirements set forth in Section 3 of Article X 550
and Section 3 of Article XVIII of the Ohio Constitution, 551
including the exercise of only those powers that have vested in, 552
and the performance of all duties imposed upon counties and 553
county offices by law, and whether the petition satisfies the 554
statutory prerequisites to place the issue on the ballot. The 555
petition shall be invalid if any portion of the petition is not 556
within the initiative power. The secretary of state may 557
determine whether to permit matters not raised by protest to be 558
considered in determining such validity or invalidity or 559
sufficiency or insufficiency, and may conduct hearings, either 560
in Columbus or in the county where the county charter petition 561
is filed. The determination by the secretary of state is final. 562

(D) The secretary of state shall notify the board of 563
elections of the determination made under division (C) of this 564
section not later than four p.m. of the eighty-first day before 565
the election. If the petition is determined to be valid and to 566
contain sufficient valid signatures, the charter shall be placed 567
on the ballot at the next general election. If the petition is 568
determined to be invalid, the secretary of state shall so notify 569
the board of county commissioners and the board of county 570
commissioners shall notify the committee. If the petition is 571
determined by the secretary of state to be valid but the number 572
of valid signatures is insufficient, the board of elections 573
shall immediately notify the committee for the petitioners and 574
the committee shall be allowed ten additional days after such 575
notification to solicit and file additional signatures to the 576
petition subject to division (E) of this section. 577

(E) All additional signatures solicited pursuant to 578

division (A) or (D) of this section shall be filed with the 579
board of elections not less than seventy days before the 580
election. The board of elections shall examine and determine the 581
validity or invalidity of the additional separate petition 582
papers and of the signatures thereon, and its determination is 583
final. No valid signature on an additional separate petition 584
paper that is the same as a valid signature on an original 585
separate petition paper shall be counted. The number of valid 586
signatures on the original separate petition papers and the 587
additional separate petition papers shall be added together to 588
determine whether there are sufficient valid signatures. If the 589
number of valid signatures is sufficient and the additional 590
separate petition papers otherwise valid, the charter shall be 591
placed on the ballot at the next general election. If not, the 592
board of elections shall notify the county commissioners, and 593
the commissioners shall notify the committee. 594

Sec. 3501.01. As used in the sections of the Revised Code 595
relating to elections and political communications: 596

(A) "General election" means the election held on the 597
first Tuesday after the first Monday in each November. 598

(B) "Regular municipal election" means the election held 599
on the first Tuesday after the first Monday in November in each 600
odd-numbered year. 601

(C) "Regular state election" means the election held on 602
the first Tuesday after the first Monday in November in each 603
even-numbered year. 604

(D) "Special election" means any election other than those 605
elections defined in other divisions of this section. A special 606
election may be held only on the first Tuesday after the first 607

Monday in May or November, on the first Tuesday after the first 608
Monday in August in accordance with section 3501.022 of the 609
Revised Code, or on the day authorized by a particular municipal 610
or county charter for the holding of a primary election, except 611
that in any year in which a presidential primary election is 612
held, no special election shall be held in May, except as 613
authorized by a municipal or county charter, but may be held on 614
the third Tuesday after the first Monday in March. 615

(E) (1) "Primary" or "primary election" means an election 616
held for the purpose of nominating persons as candidates of 617
political parties for election to offices, and for the purpose 618
of electing persons as members of the controlling committees of 619
political parties and as delegates and alternates to the 620
conventions of political parties. Primary elections shall be 621
held on the first Tuesday after the first Monday in May of each 622
year except in years in which a presidential primary election is 623
held. 624

(2) "Presidential primary election" means a primary 625
election as defined by division (E) (1) of this section at which 626
an election is held for the purpose of choosing delegates and 627
alternates to the national conventions of the major political 628
parties pursuant to section 3513.12 of the Revised Code. Unless 629
otherwise specified, presidential primary elections are included 630
in references to primary elections. In years in which a 631
presidential primary election is held, all primary elections 632
shall be held on the third Tuesday after the first Monday in 633
March except as otherwise authorized by a municipal or county 634
charter. 635

(F) "Political party" means any group of voters meeting 636
the requirements set forth in section 3517.01 of the Revised 637

Code for the formation and existence of a political party. 638

(1) "Major political party" means any political party 639
organized under the laws of this state whose candidate for 640
governor or nominees for presidential electors received not less 641
than twenty per cent of the total vote cast for such office at 642
the most recent regular state election. 643

(2) "Minor political party" means any political party 644
organized under the laws of this state that meets either of the 645
following requirements: 646

(a) Except as otherwise provided in this division, the 647
political party's candidate for governor or nominees for 648
presidential electors received less than twenty per cent but not 649
less than three per cent of the total vote cast for such office 650
at the most recent regular state election. A political party 651
that meets the requirements of this division remains a political 652
party for a period of four years after meeting those 653
requirements. 654

(b) The political party has filed with the secretary of 655
state, subsequent to its failure to meet the requirements of 656
division (F) (2) (a) of this section, a petition that meets the 657
requirements of section 3517.01 of the Revised Code. 658

A newly formed political party shall be known as a minor 659
political party until the time of the first election for 660
governor or president which occurs not less than twelve months 661
subsequent to the formation of such party, after which election 662
the status of such party shall be determined by the vote for the 663
office of governor or president. 664

(G) "Dominant party in a precinct" or "dominant political 665
party in a precinct" means that political party whose candidate 666

for election to the office of governor at the most recent 667
regular state election at which a governor was elected received 668
more votes than any other person received for election to that 669
office in such precinct at such election. 670

(H) "Candidate" means any qualified person certified in 671
accordance with the provisions of the Revised Code for placement 672
on the official ballot of a primary, general, or special 673
election to be held in this state, or any qualified person who 674
claims to be a write-in candidate, or who knowingly assents to 675
being represented as a write-in candidate by another at either a 676
primary, general, or special election to be held in this state. 677

(I) "Independent candidate" means any candidate who claims 678
not to be affiliated with a political party, and whose name has 679
been certified on the office-type ballot at a general or special 680
election through the filing of a statement of candidacy and 681
nominating petition, as prescribed in section 3513.257 of the 682
Revised Code. 683

(J) "Nonpartisan candidate" means any candidate whose name 684
is required, pursuant to section 3505.04 of the Revised Code, to 685
be listed on the nonpartisan ballot, including all candidates 686
for judge of a municipal court, county court, or court of common 687
pleas, for member of any board of education, for municipal or 688
township offices in which primary elections are not held for 689
nominating candidates by political parties, and for offices of 690
municipal corporations having charters that provide for separate 691
ballots for elections for these offices. 692

(K) "Party candidate" means any candidate who claims to be 693
a member of a political party and who has been certified to 694
appear on the office-type ballot at a general or special 695
election as the nominee of a political party because the 696

candidate has won the primary election of the candidate's party 697
for the public office the candidate seeks, has been nominated 698
under section 3517.012, or is selected by party committee in 699
accordance with section 3513.31 of the Revised Code. 700

(L) "Officer of a political party" includes, but is not 701
limited to, any member, elected or appointed, of a controlling 702
committee, whether representing the territory of the state, a 703
district therein, a county, township, a city, a ward, a 704
precinct, or other territory, of a major or minor political 705
party. 706

(M) "Question or issue" means any question or issue 707
certified in accordance with the Revised Code for placement on 708
an official ballot at a general or special election to be held 709
in this state. 710

(N) "Elector" or "qualified elector" means a person having 711
the qualifications provided by law to be entitled to vote. 712

(O) "Voter" means an elector who votes at an election. 713

(P) "Voting residence" means that place of residence of an 714
elector which shall determine the precinct in which the elector 715
may vote. 716

(Q) "Precinct" means a district within a county 717
established by the board of elections of such county within 718
which all qualified electors having a voting residence therein 719
may vote at the same polling place. 720

(R) "Polling place" means that place provided for each 721
precinct at which the electors having a voting residence in such 722
precinct may vote. 723

(S) "Board" or "board of elections" means the board of 724

elections appointed in a county pursuant to section 3501.06 of the Revised Code.	725 726
(T) "Political subdivision" means a county, township, city, village, or school district.	727 728
(U) "Election officer" or "election official" means any of the following:	729 730
(1) Secretary of state;	731
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	732 733 734 735
(3) Director of a board of elections;	736
(4) Deputy director of a board of elections;	737
(5) Member of a board of elections;	738
(6) Employees of a board of elections;	739
(7) Precinct election officials;	740
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	741 742
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	743 744 745 746 747 748 749
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to	750 751

a registered elector to confirm the registered elector's current
address, name, date of birth, or United States citizenship, the
number of the elector's Ohio driver's license or state
identification number, the last four digits of the elector's
social security number, or any other information required for
registration. The notice shall be sent by forwardable mail,
shall be accompanied by a postage prepaid, preaddressed return
envelope containing a form on which the elector may verify or
correct the elector's registration, and shall meet the
requirements of the National Voter Registration Act of 1993.

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

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

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 782
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(AA) (1) "Photo identification" means one of the following documents that includes the individual's name and photograph and is not expired: 784
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(a) An Ohio driver's license, state identification card, or interim identification form issued by the registrar of motor vehicles or a deputy registrar under Chapter 4506. or 4507. of the Revised Code; 787
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(b) A United States passport or passport card; 791

(c) A United States military identification card, Ohio national guard identification card, or United States department of veterans affairs identification card. 792
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(2) A "copy" of an individual's photo identification means images of both the front and back of a document described in division (AA) (1) of this section, except that if the document is a United States passport, a copy of the photo identification means an image of the passport's identification page that includes the individual's name, photograph, and other identifying information and the passport's expiration date. 795
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(BB) "Driver's license" means a license or permit issued by the registrar or a deputy registrar under Chapter 4506. or 4507. of the Revised Code that authorizes an individual to drive. "Driver's license" includes a driver's license, commercial driver's license, probationary license, restricted license, motorcycle operator's license, or temporary instruction permit identification card. "Driver's license" does not include a limited term license issued under section 4506.14 or 4507.09 of the Revised Code. 802
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(CC) "State identification card" means a card issued by 811
the registrar or a deputy registrar under sections 4507.50 to 812
4507.52 of the Revised Code. 813

(DD) "Interim identification form" means the document 814
issued by the registrar or a deputy registrar to an applicant 815
for a driver's license or state identification card that 816
contains all of the information otherwise found on the license 817
or card and that an applicant may use as a form of 818
identification until the physical license or card arrives in the 819
mail. 820

(EE) (1) "Proof of citizenship" means evidence that an 821
individual is a United States citizen, in the form of one of the 822
following: 823

(a) The number of the individual's current Ohio driver's 824
license or state identification card, if the secretary of state 825
verifies using information obtained from the bureau of motor 826
vehicles that the individual has submitted documentation to the 827
bureau that indicates that the individual is a United States 828
citizen; 829

(b) The individual's current Ohio driver's license, state 830
identification card, or interim identification form issued on or 831
after April 7, 2023, or a copy of the front and back of that 832
license, card, or form, if the license, card, or form does not 833
include a notation designating that the individual is a 834
noncitizen of the United States; 835

(c) The individual's birth certificate, certification of 836
report of birth, or consular report of birth abroad, or a copy 837
of one of those documents; 838

(d) The individual's current United States passport or 839

passport card, a copy of the identification page of the 840
passport, or a copy of the front and back of the passport card; 841

(e) The individual's certificate of naturalization or 842
certificate of citizenship or a copy of one of those documents; 843

(f) The individual's I-797 notice of action for form N- 844
565, application for replacement naturalization/citizenship 845
document issued by United States citizenship and immigration 846
services, if the notice indicates that the application has been 847
approved; a copy of that notice; or an original or copy of the 848
successor form of that notice issued by the federal agency that 849
is responsible for fulfilling requests for replacement 850
naturalization or citizenship documents. 851

(2) If an individual's current legal name is different 852
from the name on the individual's proof of citizenship, the 853
individual also shall provide proof of the change of name, such 854
as a copy of a marriage license or court order. 855

Sec. 3501.38. All declarations of candidacy, nominating 856
petitions, or other petitions presented to or filed with the 857
secretary of state or a board of elections or with any other 858
public office for the purpose of becoming a candidate for any 859
nomination or office or for the holding of an election on any 860
issue shall, in addition to meeting the other specific 861
requirements prescribed in the sections of the Revised Code 862
relating to them, be governed by the following rules: 863

(A) Only electors qualified to vote on the candidacy or 864
issue which is the subject of the petition shall sign a 865
petition. Each signer shall be a registered elector pursuant to 866
section 3503.01 of the Revised Code. The facts of qualification 867
shall be determined as of the date ~~when~~ the elector signs the 868

~~petition is filed.~~ 869

(B) Signatures shall be affixed in ink. Each signer may 870
also print the signer's name, so as to clearly identify the 871
signer's signature. 872

(C) Each signer shall place on the petition after the 873
signer's name the date of signing and the location of the 874
signer's voting residence, including the street and number if in 875
a municipal corporation or the rural route number, post office 876
address, or township if outside a municipal corporation. The 877
voting address given on the petition shall be the address 878
appearing in the registration records at the board of elections. 879

(D) Except as otherwise provided in section 3501.382 of 880
the Revised Code, no person shall write any name other than the 881
person's own on any petition. Except as otherwise provided in 882
section 3501.382 of the Revised Code, no person may authorize 883
another to sign for the person. If a petition contains the 884
signature of an elector two or more times, only the first 885
signature shall be counted. 886

~~(E)(1)~~ (E) On each petition paper, the circulator shall 887
personally indicate the number of signatures contained on it, 888
and shall sign a statement made under penalty of election 889
falsification that ~~the~~ includes all of the following: 890

(1) A statement that the circulator witnessed the affixing 891
of every signature, that all signers were to the best of the 892
circulator's knowledge and belief qualified to sign, and that 893
every signature is to the best of the circulator's knowledge and 894
belief the signature of the person whose signature it purports 895
to be or of an attorney in fact acting pursuant to section 896
3501.382 of the Revised Code. ~~On the circulator's statement for~~ 897

~~a declaration of candidacy or nominating petition for a person seeking to become a statewide candidate, for a statewide initiative or a statewide referendum petition, or for a party formation petition described in division (A) (1) (b) of section 3517.01 of the Revised Code, the circulator shall identify the;~~

(2) The circulator's name, and the address of the circulator's permanent residence, and the name and address of the;

(3) If any person employing is compensating the circulator to circulate the petition, if any.

~~(2) As used in division (E) of this section, "statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, or attorney general. as described in division (C) of section 3501.381 of the Revised Code, the name and address of that person;~~

(4) The following statement:

"For the purposes of any proceeding related to this petition, I submit to the jurisdiction of the courts of the State of Ohio, the Ohio Secretary of State, and the board of elections of the county in which I have circulated this petition. I understand that I may be required to testify or to produce evidence in such a proceeding. I agree to receive any service of process at the residence address I have provided."

(F) Except as otherwise provided in section 3501.382 of the Revised Code, if a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on a petition paper,

that petition paper is invalid; otherwise, the signature of a 927
person not qualified to sign shall be rejected but shall not 928
invalidate the other valid signatures on the paper. 929

(G) The circulator of a petition may, before filing it in 930
a public office, strike from it any signature the circulator 931
does not wish to present as a part of the petition. 932

(H) Any signer of a petition or an attorney in fact acting 933
pursuant to section 3501.382 of the Revised Code on behalf of a 934
signer may remove the signer's signature from that petition at 935
any time before the petition is filed in a public office by 936
striking the signer's name from the petition; no signature may 937
be removed after the petition is filed in any public office. 938

(I) (1) No alterations, corrections, or additions may be 939
made to a petition after it is filed in a public office. 940

(2) (a) No declaration of candidacy, nominating petition, 941
or other petition for the purpose of becoming a candidate may be 942
withdrawn after it is filed in a public office. Nothing in this 943
division prohibits a person from withdrawing as a candidate as 944
otherwise provided by law. 945

(b) No petition presented to or filed with the secretary 946
of state, a board of elections, or any other public office for 947
the purpose of the holding of an election on any question or 948
issue may be resubmitted after it is withdrawn from a public 949
office or rejected as containing insufficient signatures. 950
Nothing in this division prevents a question or issue petition 951
from being withdrawn by the filing of a written notice of the 952
withdrawal by a majority of the members of the petitioning 953
committee with the same public office with which the petition 954
was filed prior to the sixtieth day before the election at which 955

the question or issue is scheduled to appear on the ballot. 956

(J) All declarations of candidacy, nominating petitions, 957
or other petitions under this section shall be accompanied by 958
the following statement in boldface capital letters: WHOEVER 959
COMMITTS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE 960
FIFTH DEGREE. 961

(K) All separate petition papers shall be filed at the 962
same time, as one instrument. 963

(L) If a board of elections distributes for use a petition 964
form for a declaration of candidacy, nominating petition, or any 965
type of question or issue petition that does not satisfy the 966
requirements of law as of the date of that distribution, the 967
board shall not invalidate the petition on the basis that the 968
petition form does not satisfy the requirements of law, if the 969
petition otherwise is valid. Division (L) of this section 970
applies only if the candidate received the petition from the 971
board within ninety days of when the petition is required to be 972
filed. 973

(M) (1) Upon receiving an initiative petition, or a 974
petition filed under section 307.94 or 307.95 of the Revised 975
Code, concerning a ballot issue that is to be submitted to the 976
electors of a county or municipal political subdivision, the 977
board of elections shall examine the petition to determine: 978

(a) Whether the petition falls within the scope of a 979
municipal political subdivision's authority to enact via 980
initiative, including, if applicable, the limitations placed by 981
Sections 3 and 7 of Article XVIII of the Ohio Constitution on 982
the authority of municipal corporations to adopt local police, 983
sanitary, and other similar regulations as are not in conflict 984

with general laws, and whether the petition satisfies the 985
statutory prerequisites to place the issue on the ballot. The 986
petition shall be invalid if any portion of the petition is not 987
within the initiative power; or 988

(b) Whether the petition falls within the scope of a 989
county's authority to enact via initiative, including whether 990
the petition conforms to the requirements set forth in Section 3 991
of Article X of the Ohio Constitution, including the exercise of 992
only those powers that have vested in, and the performance of 993
all duties imposed upon counties and county officers by law, and 994
whether the petition satisfies the statutory prerequisites to 995
place the issue on the ballot. The finding of the board shall be 996
subject to challenge by a protest filed pursuant to division (B) 997
of section 307.95 of the Revised Code. 998

(2) After making a determination under division (M) (1) (a) 999
or (b) of this section, the board of elections shall promptly 1000
transmit a copy of the petition and a notice of the board's 1001
determination to the office of the secretary of state. Notice of 1002
the board's determination shall be given to the petitioners and 1003
the political subdivision. 1004

(3) If multiple substantially similar initiative petitions 1005
are submitted to multiple boards of elections and the 1006
determinations of the boards under division (M) (1) (a) or (b) of 1007
this section concerning those petitions differ, the secretary of 1008
state shall make a single determination under division (M) (1) (a) 1009
or (b) of this section that shall apply to each such initiative 1010
petition. 1011

(N) With respect to any petition for which a committee is 1012
designated to represent the petitioners, both of the following 1013
apply: 1014

(1) The committee shall designate an agent upon whom 1015
notice of all matters or proceedings pertaining to the petition 1016
may be served. Each part-petition shall include the names of the 1017
members of the committee and the name and address of the 1018
committee's agent as they exist at the time the part-petition is 1019
printed. 1020

(2) The committee shall designate in writing the names and 1021
addresses of one or more members or agents of the committee who 1022
consent to testify on behalf of the committee. The designation 1023
may set out the matters on which each person designated may 1024
testify. Upon request, the committee's agent described in 1025
division (N) (1) of this section shall make the designation 1026
available to the secretary of state, a board of elections, or a 1027
court of competent jurisdiction. 1028

Sec. 3501.381. (A) (1) Any person who will receive 1029
compensation for supervising, managing, or otherwise organizing 1030
any effort to obtain signatures for a ~~declaration of candidacy,~~ 1031
~~nominating petition, or declaration of intent to be a write-in~~ 1032
~~candidate for a person seeking to become a statewide candidate,~~ 1033
~~for a statewide initiative petition or a statewide referendum~~ 1034
~~petition, or for a party formation petition~~ described in 1035
~~division (A) (1) (b) of section 3517.01~~ 3501.38 of the Revised 1036
Code shall file a statement to that effect with the office of 1037
the secretary of state before any signatures are obtained for 1038
the petition or before the person is engaged to supervise, 1039
manage, or otherwise organize the effort to obtain signatures 1040
for the petition, whichever is later. 1041

(2) Any person who will compensate a person for 1042
supervising, managing, or otherwise organizing any effort to 1043
obtain signatures for a ~~declaration of candidacy, nominating~~ 1044

~~petition, or declaration of intent to be a write-in candidate~~ 1045
~~for a person seeking to become a statewide candidate, for a~~ 1046
~~statewide initiative or a statewide referendum petition, or for~~ 1047
~~a party formation petition described in division (A) (1) (b) of~~ 1048
section 3517.01 3501.38 of the Revised Code shall file a 1049
statement to that effect with the office of the secretary of 1050
state before any signatures are obtained for the petition or 1051
before the person engages a person to supervise, manage, or 1052
otherwise organize the effort to obtain signatures for the 1053
petition, whichever is later. 1054

~~(B)~~ (3) The secretary of state shall prescribe the form 1055
and content of the statements required under division (A) of 1056
this section. 1057

~~(C)~~ (4) Whoever violates division ~~(A)~~ (A) (1) or (2) of 1058
this section is guilty of a misdemeanor of the first degree, and 1059
the petition for which a person was compensated for supervising, 1060
managing, or otherwise organizing the effort to obtain 1061
signatures shall be deemed invalid. 1062

~~(D) As used in this section, "statewide candidate" means~~ 1063
~~the joint candidates for the offices of governor and lieutenant~~ 1064
~~governor or a candidate for the office of secretary of state,~~ 1065
~~auditor of state, treasurer of state, or attorney general.~~ 1066

(B) At all times while circulating a petition, a person 1067
who is compensated for circulating the petition shall have, 1068
plainly visible on the circulator's person, a badge that legibly 1069
identifies the circulator as a paid circulator. The secretary of 1070
state shall prescribe the form of the badge. 1071

(C) For purposes of this section, a person is compensated 1072
for taking an action if any of the following apply: 1073

(1) The person has been paid, given, or promised, or has received, any money or other thing of value as consideration for taking the action. 1074
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(2) The person is authorized to take the action as part of the person's regular duties as an employee or contractor of another person. 1077
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(3) The person has been given or promised, or has received, an appointment, promotion, or contract or an increase in pay as consideration for taking the action. 1080
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(4) The person has been given or promised, or has received, assistance to obtain an appointment, promotion, or contract or an increase in pay as consideration for taking the action. 1083
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Sec. 3501.39. ~~(A)~~(A) (1) The secretary of state or a board of elections shall accept any petition described in section 3501.38 of the Revised Code unless one of the following occurs: 1087
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~~(1)~~(a) A written protest against the petition or candidacy, naming specific objections, is filed, a hearing is held, and a determination is made by clear and convincing evidence by the election officials with whom the protest is filed that the petition is invalid, in accordance with section 3501.391 and any other section of the Revised Code providing ~~a~~ an applicable protest procedure. 1090
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~~(2)~~(b) A written protest against the petition or candidacy, naming specific objections, is filed, a hearing is held, and a determination is made by clear and convincing evidence by the election officials with whom the protest is filed that the petition violates any requirement established by law, in accordance with section 3501.391 and any other section 1097
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of the Revised Code providing an applicable protest procedure. 1103

~~(3)~~ (c) In the case of an initiative petition received by 1104
the board of elections, the petition falls outside the scope of 1105
authority to enact via initiative or does not satisfy the 1106
statutory prerequisites to place the issue on the ballot, as 1107
described in division (M) of section 3501.38 of the Revised 1108
Code. The petition shall be invalid if any portion of the 1109
petition is not within the initiative power. 1110

~~(4)~~ (d) The candidate's candidacy or the petition violates 1111
the requirements of this chapter, Chapter 3513. of the Revised 1112
Code, or any other requirements established by law. 1113

(2) Whenever any person fails to fully comply with a 1114
subpoena or an order to produce evidence served upon the person 1115
in a proceeding under division (A) (1) of this section by the 1116
secretary of state acting pursuant to section 3501.05, or by a 1117
board of elections acting pursuant to division (J) of section 1118
3501.11 or section 3519.18 of the Revised Code, the secretary of 1119
state or the board of elections, as applicable, may file in a 1120
court of competent jurisdiction, and serve upon the person, a 1121
request for an order of the court that compels compliance with 1122
the subpoena or order. If the court finds that the noncompliance 1123
was in bad faith or for the purpose of delay, it may order the 1124
person to pay to the secretary of state or the board of 1125
elections, as applicable, the reasonable expenses incurred in 1126
obtaining the order to comply, including attorney's fees, and 1127
may invoke the sanctions provided by Rule 37 of the Rules of 1128
Civil Procedure. 1129

(B) No part-petition is properly verified if it appears on 1130
the face thereof, or is made to appear by satisfactory evidence, 1131
that any of the following are true: 1132

(1) That the number and statement required by division (E) of section 3501.38 of the Revised Code are not properly filled out by the circulator; 1133
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(2) That the statement required by division (E) of section 3501.38 of the Revised Code is not properly signed, is altered by erasure, interlineation, or otherwise, or is false in any respect; 1136
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(3) That any one person has signed the part-petition more than once; 1140
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(4) If applicable, that division (A) (1) or (2) of section 3501.381 of the Revised Code was violated with respect to the petition; 1142
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(5) If applicable, that the circulator did not comply with the requirements of division (B) of section 3501.381 of the Revised Code while circulating the part-petition. 1145
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(C) Except as otherwise provided in division ~~(C)~~-(D) of this section or section 3513.052 of the Revised Code, a board of elections shall not invalidate any declaration of candidacy or nominating petition under division ~~(A) (4)~~-(A) (1) (d) of this section after the sixtieth day prior to the election at which the candidate seeks nomination to office, if the candidate filed a declaration of candidacy, or election to office, if the candidate filed a nominating petition. 1148
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~~(C) (1)~~-(D) (1) If a petition is filed for the nomination or election of a candidate in a charter municipal corporation with a filing deadline that occurs after the ninetieth day before the day of the election, a board of elections may invalidate the petition within fifteen days after the date of that filing deadline. 1156
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(2) If a petition for the nomination or election of a candidate is invalidated under division ~~(C) (1)~~ (D) (1) of this section, that person's name shall not appear on the ballots for any office for which the person's petition has been invalidated. If the ballots have already been prepared, the board of elections shall remove the name of that person from the ballots to the extent practicable in the time remaining before the election. If the name is not removed from the ballots before the day of the election, the votes for that person are void and shall not be counted.

Sec. 3501.391. (A) Any protest against a candidacy or a petition, part-petition, or signature, or against the decision of the secretary of state or a board of elections that a candidacy or a petition, part-petition, or signature is invalid, shall be filed in writing, in person or by mail, on a form prescribed by the secretary of state. The protest shall include the name and residence address of the person filing the protest, shall name the specific grounds for the protest, and shall be signed under penalty of election falsification.

(B) On receiving the protest, the election officials promptly shall review the protest and any available records or other evidence. If the election officials determine that clear and convincing evidence does not support the protest, the election officials immediately shall dismiss the protest.

(C) (1) If the election officials do not dismiss the protest under division (B) of this section, the election officials promptly shall set a time and date for a hearing. The election officials shall send written notice to the candidate or to the petition committee's agent, as applicable, and to the person who filed the protest, if different from the candidate or

agent. The notice shall inform the parties of the time and date 1192
of the hearing and of each party's right to appear and testify, 1193
call witnesses, and be represented by counsel. The notice shall 1194
be sent by first class mail not later than three days before the 1195
day of any scheduled hearing. 1196

(2) At the request of any party or, in the case of a 1197
protest heard by a board of elections, at the request of any 1198
member of the board, the election officials shall issue 1199
subpoenas to witnesses to appear and testify at a hearing held 1200
under this section. All witnesses shall testify under oath. 1201

(3) The election officials shall rule on the validity of 1202
the candidacy, petition, part-petition, or signature immediately 1203
after the hearing. The election officials shall invalidate a 1204
candidacy, petition, part-petition, or signature only if they 1205
find clear and convincing evidence that the candidacy, petition, 1206
part-petition, or signature, as applicable, is invalid under the 1207
constitution or laws of this state. 1208

(D) The provisions of this section are in addition to any 1209
other applicable provision of the Revised Code with respect to 1210
protests against candidates or petitions. 1211

Sec. 3503.13. (A) (1) Except as otherwise provided in 1212
division (A) (2) of this section, voter registration forms 1213
submitted by applicants and the statewide voter registration 1214
database established under section 3503.15 of the Revised Code 1215
are public records subject to disclosure under section 149.43 of 1216
the Revised Code. 1217

(2) None of the following are subject to disclosure under 1218
division (A) (1) of this section: 1219

(a) An elector's full or partial social security number, 1220

driver's license or state identification card number, telephone	1221
number, or electronic mail address;	1222
(b) A confidential voter registration record, as described	1223
in section 111.44 of the Revised Code;	1224
(c) The address of a designated public service worker, if	1225
the designated public service worker has submitted a redaction	1226
request to the board of elections under section 149.45 of the	1227
Revised Code;	1228
(d) <u>An elector's proof of citizenship;</u>	1229
(e) <u>Any other information that is prohibited from being</u>	1230
disclosed by state or federal law.	1231
(B) A board of elections may use a legible digitized	1232
signature list of voter signatures, copied from the signatures	1233
on the registration forms in a form and manner prescribed by the	1234
secretary of state, provided that the board includes the	1235
required voter registration information in the statewide voter	1236
registration database established under section 3503.15 of the	1237
Revised Code, and provided that the precinct election officials	1238
have computer printouts at the polls prepared in the manner	1239
required under section 3503.23 of the Revised Code.	1240
Sec. 3503.14. (A) The secretary of state shall prescribe	1241
the form and content of the registration, change of residence,	1242
and change of name forms used in this state. The forms shall	1243
meet the requirements of the National Voter Registration Act of	1244
1993 and shall include spaces for all of the following:	1245
(1) The voter's name;	1246
(2) The voter's <u>current residence</u> address;	1247
(3) The current date;	1248

(4) The voter's date of birth; 1249

(5) The voter to provide ~~at least one of the following~~ 1250
~~forms of identification:~~ 1251

~~(a) The~~ the voter's Ohio driver's license or state 1252
identification card number; 1253

~~(b) The~~ or, if the voter does not have an Ohio driver's 1254
license or state identification card, the voter to provide the 1255
last four digits of the voter's social security number. 1256

(6) A space for the voter to provide the voter's former 1257
residence address or addresses, if the voter is currently 1258
registered to vote at another address. 1259

(7) The voter's signature, accompanied by the following 1260
statement: "I declare under penalty of election falsification I 1261
am a citizen of the United States, will have lived in this state 1262
for 30 days immediately preceding the next election, and will be 1263
at least 18 years of age at the time of the general election. I 1264
understand that if I am registered to vote at any other address, 1265
the election officials will be notified of my change of 1266
address." 1267

The forms shall include the following statement: 1268

"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1269
FELONY OF THE FIFTH DEGREE." 1270

The registration form shall include a space on which the 1271
person registering an applicant shall sign the person's name and 1272
provide the person's address and a space on which the person 1273
registering an applicant shall name the employer who is 1274
employing that person to register the applicant. 1275

The forms shall include a box for the person filling out 1276

the form to check to indicate, if applicable, that the person 1277
has filled out all or part of the form on behalf of the 1278
applicant because the applicant declares that the applicant 1279
requires such assistance by reason of blindness, disability, or 1280
illiteracy. 1281

The forms shall include a notice to the applicant that if 1282
the applicant submits the form during the period beginning on 1283
the first day after the close of voter registration before an 1284
election and ending on the day of the election, the application 1285
will not be processed until after the election. 1286

Except for forms prescribed by the secretary of state 1287
under section 3503.11 of the Revised Code, the secretary of 1288
state shall permit boards of elections to produce forms that 1289
have subdivided spaces for each individual alphanumeric 1290
character of the information provided by the voter so as to 1291
accommodate the electronic reading and conversion of the voter's 1292
information to data and the subsequent electronic transfer of 1293
that data to the statewide voter registration database 1294
established under section 3503.15 of the Revised Code. 1295

(B) None of the following persons who are registering an 1296
applicant in the course of that official's or employee's normal 1297
duties shall sign the person's name, provide the person's 1298
address, or name the employer who is employing the person to 1299
register an applicant on a form prepared under this section: 1300

(1) An election official; 1301

(2) A county treasurer; 1302

(3) A deputy registrar of motor vehicles; 1303

(4) An employee of a designated agency; 1304

(5) An employee of a public high school;	1305
(6) An employee of a public vocational school;	1306
(7) An employee of a public library;	1307
(8) An employee of the office of a county treasurer;	1308
(9) An employee of the bureau of motor vehicles;	1309
(10) An employee of a deputy registrar of motor vehicles;	1310
(11) An employee of an election official.	1311
(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.	1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322
(D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person registering an applicant failed to sign the person's name or failed to name the employer who is employing that person to register the applicant as required under division (A) of this section.	1323 1324 1325 1326 1327 1328
(E) (E) (1) <u>A voter registration application is not required to contain the voter's former residence address to be considered valid.</u>	1329 1330 1331

(2) A voter registration application submitted 1332
electronically through the registrar of motor vehicles or a 1333
deputy registrar pursuant to section 3503.11 or submitted online 1334
through the internet pursuant to section 3503.20 of the Revised 1335
Code is not required to contain a signature to be considered 1336
valid. The signature obtained under division (A) (3) of section 1337
3503.11 or under division (B) of section 3503.20 of the Revised 1338
Code, as applicable, shall be considered the applicant's 1339
signature for all election and signature-matching purposes. 1340

(F) (1) Except as otherwise provided in division (C) of 1341
this section and in sections 3501.382 and 3505.24 of the Revised 1342
Code, no person shall preprint or fill out any portion of a 1343
voter registration, change of residence, or change of name form 1344
on behalf of an applicant. 1345

(2) A completed voter registration, change of residence, 1346
or change of name form is not valid if any portion of it has 1347
been completed by any person other than the applicant in 1348
violation of division (F) (1) of this section. 1349

(G) As used in this section, "registering an applicant" 1350
includes any effort, for compensation, to provide voter 1351
registration forms or to assist persons in completing or 1352
returning those forms. 1353

Sec. 3503.15. (A) The secretary of state shall establish 1354
and maintain a statewide voter registration database that shall 1355
be administered by the office of data analytics and archives in 1356
the office of the secretary of state and made continuously 1357
available to each board of elections and to other agencies as 1358
authorized by law. 1359

The statewide voter registration database shall be the 1360

official list of registered electors for all elections conducted 1361
in this state. 1362

(B) The statewide voter registration database shall, at a 1363
minimum, include all of the following: 1364

(1) An electronic network that connects all board of 1365
elections offices with the office of the secretary of state and 1366
with the offices of all other boards of elections; 1367

(2) A computer program that harmonizes the records 1368
contained in the database with records maintained by each board 1369
of elections; 1370

(3) An interactive computer program that allows access to 1371
the records contained in the database by each board of elections 1372
and by any persons authorized by the secretary of state to add, 1373
delete, modify, or print database records, and to conduct 1374
updates of the database; 1375

(4) A search program capable of verifying registered 1376
electors and their registration information by name, driver's 1377
license or state identification card number, birth date, social 1378
security number, or current address; 1379

(5) Safeguards and components to ensure that the 1380
integrity, security, and confidentiality of the voter 1381
registration information is maintained; 1382

(6) Methods to retain canceled voter registration records 1383
for not less than five years after they are canceled and to 1384
record the reason for their cancellation. 1385

(C) For each registered elector, the statewide voter 1386
registration database shall include all of the following 1387
information: 1388

(1) The elector's name;	1389
(2) The elector's birth date;	1390
(3) The elector's current residence address;	1391
(4) The elector's precinct number;	1392
(5) The elector's Ohio driver's license or state identification card number, if available;	1393 1394
(6) The last four digits of the elector's social security number, if available;	1395 1396
(7) The elector's telephone number, if available;	1397
(8) The elector's electronic mail address, if available;	1398
(9) (a) The elector's voter registration date, which shall be determined based on the elector's most recent application to register to vote in this state, subject to division (C) (9) (b) of this section, as follows:	1399 1400 1401 1402
(i) In the case of an application delivered in person to a state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, or the office of a county treasurer, the date stamped on the application upon receipt by the entity that transmits the application to the board of elections or the secretary of state;	1403 1404 1405 1406 1407 1408 1409
(ii) In the case of an application delivered in person to a board of elections or the secretary of state, the date stamped on the application upon receipt by the board of elections or the secretary of state, as applicable;	1410 1411 1412 1413
(iii) In the case of an application delivered by mail to a board of elections or the secretary of state, the date the	1414 1415

application is postmarked; 1416

(iv) In the case of an application submitted through the 1417
online voter registration system established under section 1418
3503.20 of the Revised Code, the date of the online submission; 1419

(v) In the case of an application submitted to a board of 1420
elections by facsimile transmission or electronic mail under 1421
Chapter 3511. of the Revised Code, the date of the receipt of 1422
the transmission or electronic mail by the board of elections; 1423

(vi) In the case of a provisional ballot affirmation that 1424
serves as an application to register to vote in future elections 1425
because the individual who cast the ballot is not registered to 1426
vote, the date the board of elections determines that the 1427
provisional ballot is invalid under section 3505.183 of the 1428
Revised Code. 1429

(b) For purposes of determining an elector's voter 1430
registration date under division (C) (9) (a) of this section, all 1431
of the following apply: 1432

(i) An elector's voter registration date shall not be 1433
during the period beginning on the day after the close of voter 1434
registration before an election and ending on the day of the 1435
election. If the date determined under division (C) (9) (a) of 1436
this section would be during that period, the voter registration 1437
date instead shall be the date on which the board of elections 1438
processes the application to register to vote after the day of 1439
the election or, in the case of an application submitted on or 1440
after the effective date of this amendment, the board shall 1441
record the voter registration date as the day after the 1442
election. 1443

(ii) A change of address or change of name form, including 1444

a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote.

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

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

(a) The date of the election;

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

(c) The type of ballot the elector cast.

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

(12) The date, if any, on which the elector's United States citizenship was verified under section 3503.152 or 3503.202 of the Revised Code;

(13) If applicable, a notation that the elector is required to cast a provisional ballot under section 3503.201 or 3503.202 of the Revised Code and the reason the elector is required to do so;

(14) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the

Revised Code. 1473

(D) Every business day ~~during the period beginning on the~~ 1474
~~forty-sixth day before an election and ending on the eighty-~~ 1475
~~first day after the day of the election,~~ a board of elections 1476
shall create a daily record of its voter registration database 1477
as of four p.m. and shall transmit the daily record to the 1478
secretary of state in a secure manner prescribed by the 1479
secretary of state. The secretary of state shall archive the 1480
daily record and retain it ~~for at least twenty-two months after~~ 1481
~~the day of the election~~ permanently. 1482

(E) The secretary of state shall adopt rules pursuant to 1483
Chapter 119. of the Revised Code to implement this section and 1484
sections 3503.151 to 3503.153 of the Revised Code, including 1485
rules doing all of the following: 1486

(1) Specifying the manner in which any voter registration 1487
records maintained by boards of elections in other data formats 1488
shall be converted for inclusion in the statewide voter 1489
registration database; 1490

(2) Establishing a uniform method for entering voter 1491
registration records into the statewide voter registration 1492
database on an expedited basis, but not less than once per day, 1493
if new registration information is received, and for 1494
transmitting information securely to the secretary of state; 1495

(3) Establishing a uniform method for purging canceled 1496
voter registration records from the statewide voter registration 1497
database in accordance with section 3503.21 of the Revised Code; 1498

(4) Specifying the persons authorized to add, delete, 1499
modify, or print records contained in the statewide voter 1500
registration database and to make updates of that database; 1501

(5) Establishing a process for annually auditing the 1502
information contained in the statewide voter registration 1503
database. 1504

(F) A board of elections promptly shall purge a voter's 1505
name and voter registration information from the statewide voter 1506
registration database in accordance with the rules adopted by 1507
the secretary of state under division (E) (3) of this section 1508
after the cancellation of a voter's registration under section 1509
3503.21 of the Revised Code. 1510

(G) The secretary of state shall provide training in the 1511
operation of the statewide voter registration database to each 1512
board of elections and to any persons authorized by the 1513
secretary of state to add, delete, modify, or print database 1514
records, and to conduct updates of the database. 1515

(H) A board of elections and any vendor with which it 1516
contracts to provide voter registration software or related 1517
services shall ensure that the board's voter registration system 1518
and practices comply with the requirements of this section and 1519
any rules adopted under this section. 1520

Sec. 3503.151. (A) The secretary of state, through the 1521
office of data analytics and archives, and the boards of 1522
elections shall maintain the accuracy of the statewide voter 1523
registration database in accordance with this section. 1524

(B) (1) State agencies, including, but not limited to, the 1525
department of health, the bureau of motor vehicles, the 1526
department of job and family services, the department of 1527
medicaid, and the department of rehabilitation and corrections, 1528
shall provide any information and data to the secretary of state 1529
that is collected in the course of normal business and that is 1530

necessary to register to vote, to update an elector's 1531
registration, or to maintain the statewide voter registration 1532
database, except where prohibited by federal law or regulation. 1533
The department of health, the bureau of motor vehicles, the 1534
department of job and family services, the department of 1535
medicaid, and the department of rehabilitation and corrections 1536
shall provide that information and data to the secretary of 1537
state not later than the last day of each month. The secretary 1538
of state shall ensure that any information or data provided to 1539
the secretary of state that is confidential in the possession of 1540
the entity providing the data remains confidential while in the 1541
possession of the secretary of state. No public office, and no 1542
public official or employee, shall sell that information or data 1543
or use that information or data for profit. 1544

(2) The secretary of state shall adopt rules under Chapter 1545
119. of the Revised Code that establish, by mutual agreement 1546
with the bureau of motor vehicles, the content and format of the 1547
information and data the bureau of motor vehicles shall provide 1548
to the secretary of state under division (B)(1) of this section 1549
and the frequency with which the bureau shall provide that 1550
information and data. 1551

(C)(1) The secretary of state shall enter into agreements 1552
to share information or data that is in the possession of the 1553
secretary of state with other states or groups of states, as the 1554
secretary of state considers necessary, in order to maintain the 1555
statewide voter registration database. Except as otherwise 1556
provided in division (C)(2) of this section, the secretary of 1557
state shall ensure that any information or data provided to the 1558
secretary of state that is confidential in the possession of the 1559
state providing the data remains confidential while in the 1560
possession of the secretary of state. 1561

(2) The secretary of state may provide such otherwise 1562
confidential information or data to persons or organizations 1563
that are engaging in legitimate governmental purposes related to 1564
the maintenance of the statewide voter registration database. 1565
The secretary of state shall adopt rules pursuant to Chapter 1566
119. of the Revised Code identifying the persons or 1567
organizations who may receive that information or data. The 1568
secretary of state shall not share that information or data with 1569
a person or organization not identified in those rules. The 1570
secretary of state shall ensure that a person or organization 1571
that receives confidential information or data under this 1572
division keeps the information or data confidential in the 1573
person's or organization's possession by, at a minimum, entering 1574
into a confidentiality agreement with the person or 1575
organization. Any confidentiality agreement entered into under 1576
this division shall include a requirement that the person or 1577
organization submit to the jurisdiction of this state in the 1578
event that the person or organization breaches the agreement. 1579

(3) No person or entity that receives information or data 1580
under division (C) of this section shall sell the information or 1581
data or use the information or data for profit. 1582

(D) The secretary of state shall regularly transmit to the 1583
boards of elections, to the extent permitted by state and 1584
federal law, the information and data the secretary of state 1585
receives under divisions (B) and (C) of this section that is 1586
necessary to do the following, in order to ensure that the 1587
accuracy of the statewide voter registration database is 1588
maintained on a regular basis in accordance with applicable 1589
state and federal law: 1590

(1) Require the boards of elections to maintain the 1591

database in a manner that ensures that the name of each 1592
registered elector appears in the database, that only 1593
individuals who are not registered or eligible to vote are 1594
removed from the database, and that duplicate registrations are 1595
eliminated from the database; 1596

(2) Require the boards of elections to make a reasonable 1597
effort to remove individuals who are not eligible to vote from 1598
the database; 1599

(3) Establish safeguards to ensure that eligible electors 1600
are not removed in error from the database. 1601

~~(E) (1)~~ (E) The secretary of state shall use the 1602
information in the statewide voter registration database and the 1603
databases of the bureau of motor vehicles and the United States 1604
social security administration to provide information to each 1605
board of elections that identifies each voter registration 1606
record in the county in which the first name, last name, date of 1607
birth, or Ohio driver's license or state identification card 1608
number or the last four digits of the social security number 1609
does not match the information in the database of the bureau of 1610
motor vehicles or the United States social security 1611
administration for purposes of section 3503.202 of the Revised 1612
Code. 1613

(F) The secretary of state shall use the information 1614
obtained under divisions (B) and (C) of this section regularly 1615
to prepare and transmit a report to each board of elections that 1616
identifies each registered elector in the county who, after the 1617
elector most recently registered to vote or updated the 1618
elector's registration in this state, has voted in another 1619
state. Upon receiving the report, the board promptly shall 1620
cancel each such elector's registration in accordance with 1621

section 3503.21 of the Revised Code. 1622

(G) (1) The secretary of state shall adopt rules under 1623
Chapter 119. of the Revised Code to establish a uniform method 1624
for addressing instances in which records contained in the 1625
statewide voter registration database do not conform with 1626
records maintained by an agency, state, or group of states 1627
described in division (B) or (C) of this section. That method 1628
shall prohibit an elector's voter registration from being 1629
canceled on the sole basis that the information in the 1630
registration record does not conform to records maintained by 1631
such an agency. 1632

(2) Information provided under division (B) or (C) of this 1633
section for maintenance of the statewide voter registration 1634
database shall not be used to update the name or address of a 1635
registered elector. The name or address of a registered elector 1636
shall only be updated as a result of the elector's actions in 1637
filing a notice of change of name, change of address, or both. 1638

(3) ~~A-Except as otherwise provided in section 3503.202 of~~ 1639
the Revised Code, a board of elections shall contact a 1640
registered elector pursuant to the rules adopted under division 1641
~~(E) (1)~~ (G) (1) of this section to verify the accuracy of the 1642
information in the statewide voter registration database 1643
regarding that elector if that information does not conform with 1644
information provided under division (B) or (C) of this section 1645
and the discrepancy would affect the elector's eligibility to 1646
cast a regular ballot. 1647

Sec. 3503.152. ~~The~~ (A) At least once each month, and every 1648
day during the period beginning on the forty-sixth day before an 1649
election and ending on the day before the day of the election, 1650
the secretary of state shall ~~conduct an annual review of the~~ 1651

statewide voter registration database to ~~identify persons who~~ 1652
~~appear not to be~~ verify the United States citizens citizenship 1653
of persons whose citizenship has not been verified on or after 1654
the effective date of this amendment, as follows by consulting 1655
the following sources: 1656

~~(A) The secretary of state shall compare the information~~ 1657
~~in the statewide voter registration database with the~~ 1658
~~information~~ (1) Information the secretary of state obtains from 1659
the bureau of motor vehicles under section 3503.151 of the 1660
Revised Code ~~to identify any person who does all of the~~ 1661
~~following, in the following order:~~ 1662

~~(1) Submits documentation to the bureau of motor vehicles~~ 1663
~~that indicates that the person is not a United States citizen;~~ 1664

~~(2) Registers to vote, submits a voter registration change~~ 1665
~~of residence or change of name form, or votes in this state;~~ 1666

~~(3) Submits documentation to the bureau of motor vehicles~~ 1667
~~that indicates that the person is not a United States citizen;~~ 1668

(2) The systematic alien verification for entitlements 1669
(SAVE) program, or its successor program, operated by the United 1670
States department of homeland security or its successor agency. 1671

~~(B) The secretary of state shall send a written notice to~~ 1672
~~each person identified under division (A) of this section,~~ 1673
~~instructing the person either to confirm that the person is a~~ 1674
~~United States citizen or to submit a completed voter~~ 1675
~~registration cancellation form to the secretary of state. The~~ 1676
~~secretary of state shall include a blank voter registration~~ 1677
~~cancellation form with the notice. If the person fails to~~ 1678
~~respond to the secretary of state in the manner described in~~ 1679
~~division (C) or (D) of this section not later than thirty days~~ 1680

~~after the notice is sent, the secretary of state promptly shall~~ 1681
~~send the person a second notice and form.~~ 1682

~~(C) If, not later than sixty days after the first notice~~ 1683
~~is sent, a person who is sent a notice under division (B) of~~ 1684
~~this section responds to the secretary of state, confirming that~~ 1685
~~the person is a United States citizen, the secretary of state~~ 1686
~~shall take no action concerning the person's voter registration.~~ 1687

~~(D) If, not later than sixty days after the first notice~~ 1688
~~was sent, a person who receives a notice under division (B) of~~ 1689
~~this section sends a completed voter registration cancellation~~ 1690
~~form to the secretary of state, the secretary of state shall~~ 1691
~~instruct the board of elections of the county in which the~~ 1692
~~person is registered to cancel the person's registration.~~ 1693

~~(E) If a person who is sent a second notice under division~~ 1694
~~(B) of this section fails to respond to the secretary of state~~ 1695
~~in the manner described in division (C) or (D) of this section~~ 1696
~~not later than thirty days after the second notice is sent, the~~ 1697
~~secretary of state shall refer the matter to the attorney~~ 1698
~~general for further investigation and possible prosecution under~~ 1699
~~section 3599.11, 3599.12, 3599.13, or any other applicable~~ 1700
~~section of the Revised Code. If, after the thirtieth day after~~ 1701
~~the second notice is sent, the person sends a completed voter~~ 1702
~~registration cancellation form to the secretary of state, the~~ 1703
~~secretary of state shall instruct the board of elections of the~~ 1704
~~county in which the person is registered to cancel the person's~~ 1705
~~registration and shall notify the attorney general of the~~ 1706
~~cancellation.~~ 1707

~~(F) The secretary of state shall not conduct the review~~ 1708
~~described in this section during the ninety days immediately~~ 1709
~~preceding a primary or general election for federal~~ 1710

office. Following each review conducted under this section, the 1711
secretary of state shall send a report of the results for each 1712
county to the applicable board of elections. The board shall 1713
process the report as follows: 1714

(1) When the report indicates that the secretary of state 1715
has verified that a person is a United States citizen under 1716
division (A) of this section, the board promptly shall proceed 1717
under division (D) of section 3503.201 or division (A) (1) (c) of 1718
section 3503.202 of the Revised Code, as applicable. 1719

(2) When the report indicates that the secretary of state 1720
has identified a person who, according to the databases 1721
described in division (A) of this section, is not a United 1722
States citizen, the board promptly shall cancel the person's 1723
voter registration in accordance with section 3503.21 of the 1724
Revised Code. 1725

(3) When the report indicates that the secretary of state 1726
has been unable to determine, using the databases described in 1727
division (A) of this section, whether a person is a United 1728
States citizen, the board promptly shall proceed under division 1729
(A) (1) (c) of section 3503.202 of the Revised Code. 1730

(C) When the secretary of state identifies a person who is 1731
registered to vote in this state and who, according to the 1732
databases described in division (A) of this section, is not a 1733
United States citizen, the secretary of state shall refer the 1734
matter to the election integrity unit for further investigation 1735
under section 3501.055 of the Revised Code. 1736

Sec. 3503.153. (A) The statewide voter registration 1737
database shall be made available on a web site of the office of 1738
the secretary of state as follows: 1739

(1) Except as otherwise provided in division (A) (2) of 1740
this section, the following information from the statewide voter 1741
registration database regarding a registered elector shall be 1742
made available on the web site: 1743

(a) The elector's name; 1744

(b) The elector's birth date; 1745

(c) The elector's current residence address; 1746

(d) The elector's precinct number; 1747

(e) The elector's voter registration date, as described in 1748
division (C) (9) of section 3503.15 of the Revised Code; 1749

(f) The elector's voting history, as described in division 1750
(C) (10) of section 3503.15 of the Revised Code; 1751

(g) The elector's last activity date, as described in 1752
division (C) (11) of section 3503.15 of the Revised Code; 1753

(h) If applicable, the fact that the elector is required 1754
to cast a provisional ballot under section 3503.201 or 3503.202 1755
of the Revised Code, the reason for that fact, and the 1756
information the elector must provide to the board of elections 1757
to become eligible to cast a regular ballot. 1758

(2) During the thirty days before the day of a primary or 1759
general election, the web site interface of the statewide voter 1760
registration database shall permit an elector to search for the 1761
polling location at which that elector may cast a ballot. 1762

(3) No information in the statewide voter registration 1763
database that is exempt from disclosure under division (A) (2) of 1764
section 3503.13 of the Revised Code shall be made available on 1765
the web site. 1766

(B) (1) The secretary of state shall establish, by rule 1767
adopted under Chapter 119. of the Revised Code, a process for 1768
boards of elections to notify the secretary of state of changes 1769
in the locations of precinct polling places for the purpose of 1770
updating the information made available on the secretary of 1771
state's web site under division (A) (2) of this section. Those 1772
rules shall require a board of elections, during the thirty days 1773
before the day of a primary or general election, to notify the 1774
secretary of state within one business day of any change to the 1775
location of a precinct polling place within the county. 1776

(2) During the thirty days before the day of a primary or 1777
general election, not later than one business day after 1778
receiving a notification from a county pursuant to division (B) 1779
(1) of this section that the location of a precinct polling 1780
place has changed, the secretary of state shall update that 1781
information on the secretary of state's web site for the purpose 1782
of division (A) (2) of this section. 1783

Sec. 3503.16. (A) ~~Except as otherwise provided in division~~ 1784
~~(E) of section 111.44 of the Revised Code, whenever~~ Whenever a 1785
registered elector changes the place of residence of that 1786
registered elector ~~from one precinct to another within a county~~ 1787
~~or from one county to another~~ this state, or has a change of 1788
name, that registered elector shall report the change by 1789
~~delivering a change of residence or change of name form,~~ 1790
~~whichever is appropriate, as prescribed by the secretary of~~ 1791
~~state under section 3503.14 of the Revised Code to the state or~~ 1792
~~local office of a designated agency, a public high school or~~ 1793
~~vocational school, a public library, the office of the county~~ 1794
~~treasurer, the office of the secretary of state, any office of~~ 1795
~~the registrar or deputy registrar of motor vehicles, or any~~ 1796
~~office of a board of elections in person or by a third person.~~ 1797

~~Any voter registration, change of address, or change of name application, returned by mail, may be sent only to the secretary of state or the board of elections.~~ 1798
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~~A registered elector also may update the registration of that registered elector by filing a change of residence or change of name form on the day of a special, primary, or general election at the polling place in the precinct in which that registered elector resides or at the board of elections or at another site designated by the board one of the methods described in section 3503.19 of the Revised Code not later than the thirtieth day before the day of an election, except as otherwise permitted under this section.~~ 1801
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~~(B) (1) (a) Any registered elector who moves within a precinct on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence with the board of elections may vote in that election by going to that registered elector's assigned polling place, completing and signing a notice of change of residence, showing photo identification, and casting a ballot.~~ 1810
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~~(b) Any registered elector who changes the name of that registered elector and remains within a precinct on or prior to the day of a general, primary, or special election and has not filed a notice of change of name with the board of elections may vote in that election by going to that registered elector's assigned polling place, completing and signing a notice of a change of name, and casting a provisional ballot under section 3505.181 of the Revised Code. If the registered elector provides to the precinct election officials proof of a legal name change, such as a marriage license or court order that includes the elector's current and prior names, the elector may complete and~~ 1817
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~~sign a notice of change of name and cast a regular ballot.~~ 1828

~~(2)(B) Any registered elector who moves from one precinct to another within a county, does not move but changes the elector's name, or moves from one precinct to another within a county and changes the name of that registered elector on or prior to the day of a general, primary, or special election and has not filed a notice of reported the change of residence or change of name, whichever is appropriate, with the board of elections under section 3503.19 of the Revised Code may vote in that election if that registered elector complies with division (C) of this section or does all of the following:~~ 1829
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~~(a) Appears at anytime during regular business hours on or after the twenty-eighth day prior to the election in which that registered elector wishes to vote or, if the election is held on the day of a presidential primary election, the twenty-fifth day prior to the election, through noon of the Saturday prior to the election at the office of the board of elections, appears at any time during regular business hours on the Monday prior to the election at the office of the board of elections, or appears on the day of the election at either of the following locations:~~ 1839
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~~(i) The by casting a provisional ballot using the address to which the elector has moved or the name of the elector as changed, whichever is appropriate, at the polling place for the precinct in which that registered elector resides;~~ 1848
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~~(ii) The, at the office of the board of elections or, if pursuant to division (C) of of the county in which the elector resides during the time that absent voter's ballots may be cast in person under section 3501.10-3509.051 of the Revised Code the board has designated another location in the county at which registered electors may vote, at that other location instead of~~ 1852
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~~the office of the board of elections, or, if the elector~~ 1858
~~qualifies to do so, by casting a provisional ballot with the~~ 1859
~~assistance of two election officials of the county in which the~~ 1860
~~elector resides under section 3509.08 of the Revised Code.~~ 1861

~~(b) Completes and signs, under penalty of election~~ 1862
~~falsification, the~~ The written affirmation on the provisional 1863
ballot envelope, ~~which~~ shall serve as a notice of change of 1864
residence or change of name, whichever is appropriate, 1865

~~(c) Votes a provisional ballot under section 3505.181 of~~ 1866
~~the Revised Code at the polling place, at the office of the~~ 1867
~~board of elections, or, if pursuant to division (C) of section~~ 1868
~~3501.10 of the Revised Code the board has designated another~~ 1869
~~location in the county at which registered electors may vote, at~~ 1870
~~that other location instead of the office of the board of~~ 1871
~~elections, whichever is appropriate, using the address to which~~ 1872
~~that registered elector has moved or the name of that registered~~ 1873
~~elector as changed, whichever is appropriate;~~ 1874

~~(d) Completes and signs, under penalty of election~~ 1875
~~falsification, a statement attesting that that registered~~ 1876
~~elector moved or had a change of name, whichever is appropriate,~~ 1877
~~on or prior to the day of the election, has voted a provisional~~ 1878
~~ballot at the polling place for the precinct in which that~~ 1879
~~registered elector resides, at the office of the board of~~ 1880
~~elections, or, if pursuant to division (C) of section 3501.10 of~~ 1881
~~the Revised Code the board has designated another location in~~ 1882
~~the county at which registered electors may vote, at that other~~ 1883
~~location instead of the office of the board of elections,~~ 1884
~~whichever is appropriate, and will not vote or attempt to vote~~ 1885
~~at any other location for that particular election.~~ 1886

(C) Any registered elector who moves from one county to 1887

another county within the state on or prior to the day of a 1888
general, primary, or special election and has not ~~registered to~~ 1889
~~vote in the county to which that registered elector moved~~ 1890
reported the change of residence under section 3503.19 of the 1891
Revised Code may vote in that election ~~if that registered~~ 1892
~~elector complies with division (C) of this section or does all~~ 1893
~~of the following:~~ 1894

~~(1) Appears at any time during regular business hours on~~ 1895
~~or after the twenty-eighth day prior to the election in which~~ 1896
~~that registered elector wishes to vote or, if the election is~~ 1897
~~held on the day of a presidential primary election, the twenty-~~ 1898
~~fifth day prior to the election, through noon of the Saturday~~ 1899
~~prior to the election by casting a provisional ballot using the~~ 1900
address to which the elector has moved at the office of the 1901
~~board of elections or, if pursuant to division (C) of section~~ 1902
~~3501.10 of the Revised Code the board has designated another~~ 1903
~~location in the county at which registered electors may vote, at~~ 1904
~~that other location instead of the office of the board of~~ 1905
~~elections, appears~~ of the county in which the elector resides 1906
during the time that absent voter's ballots may be cast in 1907
person under section 3509.061 of the Revised Code, during 1908
~~regular business hours on the Monday prior to the election at~~ 1909
~~the office of the board of elections or, if pursuant to division~~ 1910
~~(C) of section 3501.10 of the Revised Code the board has~~ 1911
~~designated another location in the county at which registered~~ 1912
~~electors may vote, at that other location instead of the office~~ 1913
~~of the board of elections, or appears on the day of the election~~ 1914
~~at the office of the board of elections or, if pursuant to~~ 1915
~~division (C) of section 3501.10 of the Revised Code the board~~ 1916
~~has designated another location in the county at which~~ 1917
~~registered electors may vote, at that other location instead of~~ 1918

~~the office of the board of elections;~~ 1919

~~(2) Completes and signs, under penalty of election
falsification, the, or, if the elector qualifies to do so, by
casting a provisional ballot with the assistance of two election
officials of the county in which the elector resides under
section 3509.08 of the Revised Code. The written affirmation on
the provisional ballot envelope, which shall serve as a notice
of change of residence;~~ 1920
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~~(3) Votes a provisional ballot under section 3505.181 of
the Revised Code at the office of the board of elections or, if
pursuant to division (C) of section 3501.10 of the Revised Code
the board has designated another location in the county at which
registered electors may vote, at that other location instead of
the office of the board of elections, using the address to which
that registered elector has moved;~~ 1927
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~~(4) Completes and signs, under penalty of election
falsification, a statement attesting that that registered
elector has moved from one county to another county within the
state on or prior to the day of the election, has voted at the
office of the board of elections or, if pursuant to division (C)
of section 3501.10 of the Revised Code the board has designated
another location in the county at which registered electors may
vote, at that other location instead of the office of the board
of elections, and will not vote or attempt to vote at any other
location for that particular election.~~ 1934
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~~(D) A person who votes by absent voter's ballots pursuant
to division (C) of this section shall not make written
application for the ballots pursuant to Chapter 3509. of the
Revised Code. Ballots cast pursuant to division (C) of this
section shall be set aside in a special envelope and counted~~ 1944
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~~during the official canvass of votes in the manner provided for
in sections 3505.32 and 3509.06 of the Revised Code insofar as
that manner is applicable. The board shall examine the pollbooks
to verify that no ballot was cast at the polls or by absent
voter's ballots under Chapter 3509. or 3511. of the Revised Code
by an elector who has voted by absent voter's ballots pursuant
to division (C) of this section. Any ballot determined to be
insufficient for any of the reasons stated above or stated in
section 3509.07 of the Revised Code shall not be counted.~~

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

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

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

~~The board of elections shall provide change of residence~~

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

~~(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:~~

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

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

~~the registered elector is unable to appear at the board of
elections because of personal illness, physical disability, or
infirmity;~~ 2009
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~~(3) Completes and returns along with the completed absent
voter's ballot a notice of change of residence indicating the
address to which the registered elector has moved, or a notice
of change of name, whichever is appropriate;~~ 2012
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~~(4) Completes and signs, under penalty of election
falsification, a statement attesting that the registered elector
has moved or had a change of name on or prior to the day before
the election, has voted by absent voter's ballot because of
personal illness, physical disability, or infirmity that
prevented the registered elector from appearing at the board of
elections, and will not vote or attempt to vote at any other
location or by absent voter's ballot mailed to any other
location or address for that particular election.~~ 2016
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Sec. 3503.18. (A) (1) Not later than the last day of each 2025
month, the director of health shall file with the secretary of 2026
state the names, social security numbers, dates of birth, dates 2027
of death, and residences of all persons, over eighteen years of 2028
age, who have died within this state or another state during the 2029
period beginning on the date of the most recent filing and 2030
ending on the day before the date of the current filing. If the 2031
director is notified of the death of such a person after the 2032
director has filed the report for the period during which the 2033
person died, the director shall file with the secretary of state 2034
a supplemental report containing that information concerning the 2035
person not later than one month after the director is notified 2036
of the person's death. 2037

(2) The secretary of state and the director of health 2038

shall jointly establish a secure electronic system through which 2039
they shall exchange the information described in division (A) (1) 2040
of this section regarding the death of a registered elector. 2041

(B) The secretary of state shall prepare and transmit a 2042
monthly report to each board of elections that identifies each 2043
registered elector in the county who has died, based on 2044
information the secretary of state receives from the United 2045
States social security administration or from the state and 2046
territorial exchange of vital events (STEVE) administered by the 2047
national association for public health statistics and 2048
information systems. 2049

(C) At least once each month, each probate judge in this 2050
state shall file with the board of elections the names and 2051
residence addresses of all persons over eighteen years of age 2052
who have been adjudicated incompetent for the purpose of voting, 2053
as provided in section 5122.301 of the Revised Code. 2054

~~(C)~~ (D) At least once each month the clerk of the court of 2055
common pleas shall file with the board the names and residence 2056
addresses of all persons who have been convicted during the 2057
previous month of crimes that would disfranchise such persons 2058
under existing laws of the state. Reports of conviction of 2059
crimes under the laws of the United States that would 2060
disfranchise an elector and that are provided to the secretary 2061
of state by any United States attorney shall be forwarded by the 2062
secretary of state to the appropriate board of elections. 2063

~~(D)~~ (E) Upon receiving a report required by this section, 2064
the board of elections shall promptly cancel the registration of 2065
each elector named in the report in accordance with section 2066
3503.21 of the Revised Code. If the report contains a residence 2067
address of an elector in a county other than the county in which 2068

the board of elections is located, the director shall promptly 2069
send a copy of the report to the appropriate board of elections, 2070
which shall cancel the registration in accordance with that 2071
section. 2072

Sec. 3503.19. (A) Persons~~Except as otherwise provided in~~ 2073
section 111.44 of the Revised Code, persons qualified to 2074
register or to change their registration because of a change of 2075
address or change of name may register or ~~change~~update their 2076
registration ~~in~~by doing any of the following: 2077

(1) Submitting a voter registration application or update 2078
form in person at any state or local office of a designated 2079
agency, at the office of the registrar or any deputy registrar 2080
of motor vehicles, at a public high school or vocational school, 2081
at a public library, at the office of a county treasurer, or at 2082
~~a branch office established by the board of elections, or~~ 2083
probate court or court of common pleas, provided that a person 2084
who receives compensation for registering a voter shall return 2085
any registration form entrusted to that person by an applicant 2086
to a board of elections or to the office of the secretary of 2087
state; 2088

(2) Submitting a voter registration application or update 2089
form in person, through another person, or by mail at the office 2090
of the secretary of state or at the office of a board of 2091
elections. ~~A registered elector may also change the elector's~~ 2092
~~registration, including a branch office;~~ 2093

(3) Submitting a voter registration application or update 2094
form through the online voter registration system under section 2095
3503.20 of the Revised Code; 2096

(4) Submitting a voter registration application or update 2097

form in person to the election officials on election day at any 2098
polling place ~~where the elector is eligible to vote, in the~~ 2099
manner provided under section 3503.16 of the Revised Code. The 2100
election officials shall return all completed forms, together 2101
with the pollbooks and tally sheets, to the board of elections. 2102

(5) In the case of a person who is eligible to vote as a 2103
uniformed services voter or an overseas voter in accordance with 2104
52 U.S.C. 20310, returning the person's completed voter 2105
registration application or update form electronically to the 2106
office of the secretary of state or to the board of elections of 2107
the county in which the person's voting residence is located 2108
pursuant to Chapter 3511. of the Revised Code. 2109

(B) (1) Any state or local office of a designated agency, a 2110
public high school or vocational school, a public library, a 2111
probate court or court of common pleas, or the office of a 2112
county treasurer shall date stamp a voter registration 2113
application or update form it receives using a date stamp that 2114
does not disclose the identity of the state or local office that 2115
receives it and shall transmit ~~any voter registration the~~ 2116
application or ~~change of registration form that it receives to~~ 2117
the board of elections of the county in which the state or local 2118
office is located, within five days after receiving the ~~voter~~ 2119
~~registration~~ application or ~~change of registration~~ form. The 2120
office of the registrar or any deputy registrar of motor 2121
vehicles shall date stamp a voter registration application or 2122
update form it receives using a date stamp that does not 2123
disclose the identity of the state or local office that receives 2124
it, shall transmit any electronic voter registration application 2125
or change of registration that it receives to the secretary of 2126
state within twenty-four hours after receiving it, and shall 2127
transmit any paper voter registration application or change of 2128

registration form that it receives to the board of elections of 2129
the county in which the office of the registrar or deputy 2130
registrar is located within five days after receiving the voter 2131
registration application or change of registration form, as 2132
required under section 3503.11 of the Revised Code. 2133

(2) If the office of the secretary of state receives a 2134
registration or update form before the thirtieth day before an 2135
election, the office shall forward the form to the board of 2136
elections of the county in which the applicant resides within 2137
ten days after receiving the application. If the office of the 2138
secretary of state receives a registration or update form on or 2139
after the thirtieth day before an election, the office shall 2140
forward the registration to the board of elections of the county 2141
in which the applicant resides within thirty days after that 2142
election. 2143

(3) If a board of elections receives a registration or 2144
update form from an applicant who resides in another county 2145
before the thirtieth day before an election, the board shall 2146
forward the form to the board of elections of the county in 2147
which the applicant resides within ten days after receiving the 2148
application. If a board of elections receives a registration or 2149
update form from an applicant who resides in another county on 2150
or after the thirtieth day before an election, the board shall 2151
forward the registration to the board of elections of the county 2152
in which the applicant resides within thirty days after that 2153
election. 2154

(C) Except as otherwise provided in section 3503.16 of the 2155
Revised Code: 2156

(1) An otherwise valid voter registration application that 2157
is returned to the appropriate office other than by mail must be 2158

received by a state or local office of a designated agency, the 2159
office of the registrar or any deputy registrar of motor 2160
vehicles, a public high school or vocational school, a public 2161
library, the office of a county treasurer, a probate court or 2162
court of common pleas, the office of the secretary of state, or 2163
the office of a board of elections no later than the thirtieth 2164
day preceding a primary, special, or general election for the 2165
person to qualify as an elector eligible to vote at that 2166
election. An otherwise valid registration application received 2167
after that day entitles the elector to vote at all subsequent 2168
elections. 2169

~~Any state or local office of a designated agency, the 2170
office of the registrar or any deputy registrar of motor 2171
vehicles, a public high school or vocational school, a public 2172
library, or the office of a county treasurer shall date stamp a 2173
registration application or change of name or change of address 2174
form it receives using a date stamp that does not disclose the 2175
identity of the state or local office that receives the 2176
registration. 2177~~

(2) Voter registration applications, if otherwise valid, 2178
that are returned by mail to the office of the secretary of 2179
state or to the office of a board of elections must be 2180
postmarked no later than the thirtieth day preceding a primary, 2181
special, or general election in order for the person to qualify 2182
as an elector eligible to vote at that election. If an otherwise 2183
valid voter registration application that is returned by mail 2184
does not bear a postmark or a legible postmark, the registration 2185
shall be valid for that election if received by the office of 2186
the secretary of state or the office of a board of elections no 2187
later than twenty-five days preceding any special, primary, or 2188
general election. 2189

~~(B)(1)-(D)~~ Any person may apply in person, by telephone, 2190
by mail, or through another person for voter registration forms 2191
to the office of the secretary of state or the office of a board 2192
of elections. An individual who is eligible to vote as a 2193
uniformed services voter or an overseas voter in accordance with 2194
42 U.S.C. 1973ff-6 also may apply for voter registration forms 2195
by electronic means to the office of the secretary of state or 2196
to the board of elections of the county in which the person's 2197
voting residence is located pursuant to section 3503.191 of the 2198
Revised Code. 2199

~~(2)(a)~~ An applicant may return the applicant's completed 2200
registration form in person or by mail to any state or local 2201
office of a designated agency, to a public high school or 2202
vocational school, to a public library, to the office of a 2203
county treasurer, to the office of the secretary of state, or to 2204
the office of a board of elections. An applicant who is eligible 2205
to vote as a uniformed services voter or an overseas voter in 2206
accordance with 42 U.S.C. 1973ff-6 also may return the 2207
applicant's completed voter registration form electronically to 2208
the office of the secretary of state or to the board of 2209
elections of the county in which the person's voting residence 2210
is located pursuant to section 3503.191 of the Revised Code. 2211

~~(b)~~ Subject to division (B)(2)(c) of this section, an 2212
applicant may return the applicant's completed registration form 2213
through another person to any board of elections or the office 2214
of the secretary of state. 2215

~~(c)~~ A person who receives compensation for registering a 2216
voter shall return any registration form entrusted to that 2217
person by an applicant to any board of elections or to the 2218
office of the secretary of state. 2219

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

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

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

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

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

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

~~provisional ballot."~~ 2249

~~The notification shall be by nonforwardable mail. If the~~ 2250
~~mail is returned to the board, it shall investigate and cause~~ 2251
~~the notification to be delivered to the correct address.~~ 2252

~~(2) If, after investigating as required under division (C)~~ 2253
~~(1) of this section, the board is unable to verify the voter's~~ 2254
~~correct address, it shall cause the voter's name in the official~~ 2255
~~registration list and in the poll list or signature pollbook to~~ 2256
~~be marked to indicate that the voter's notification was returned~~ 2257
~~to the board.~~ 2258

~~At the first election at which a voter whose name has been~~ 2259
~~so marked appears to vote, the voter shall be required to vote~~ 2260
~~by provisional ballot under section 3505.181 of the Revised~~ 2261
~~Code. If the provisional ballot is counted pursuant to division~~ 2262
~~(B) (3) of section 3505.183 of the Revised Code, the board shall~~ 2263
~~correct that voter's registration, if needed, and shall remove~~ 2264
~~the indication that the voter's notification was returned from~~ 2265
~~that voter's name on the official registration list and on the~~ 2266
~~poll list or signature pollbook. If the provisional ballot is~~ 2267
~~not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of~~ 2268
~~section 3505.183 of the Revised Code, the voter's registration~~ 2269
~~shall be canceled. The board shall notify the voter by United~~ 2270
~~States mail of the cancellation.~~ 2271

~~(3) If a notice of the disposition of an otherwise valid~~ 2272
~~registration application is sent by nonforwardable mail and is~~ 2273
~~returned undelivered, the person shall be registered as provided~~ 2274
~~in division (C) (2) of this section and sent a confirmation~~ 2275
~~notice by forwardable mail. If the person fails to respond to~~ 2276
~~the confirmation notice, update the person's registration, or~~ 2277
~~vote by provisional ballot as provided in division (C) (2) of~~ 2278

~~this section in any election during the period of two federal~~ 2279
~~elections subsequent to the mailing of the confirmation notice,~~ 2280
~~the person's registration shall be canceled.~~ 2281

Sec. 3503.20. (A) The secretary of state shall establish a 2282
secure online voter registration system. The system shall 2283
provide for all of the following: 2284

(1) An applicant to submit a voter registration 2285
application to the secretary of state online through the 2286
internet; 2287

(2) The online applicant to be registered to vote, if all 2288
of the following apply: 2289

(a) The application contains all of the following 2290
information: 2291

(i) The applicant's name; 2292

(ii) The applicant's address; 2293

(iii) The applicant's date of birth; 2294

(iv) The last four digits of the applicant's social 2295
security number; 2296

(v) The applicant's Ohio driver's license number or the 2297
number of the applicant's state identification card issued under 2298
section 4507.50 of the Revised Code. 2299

(b) The applicant's name, address, and date of birth, the 2300
last four digits of the applicant's social security number, and 2301
the applicant's Ohio driver's license number or the number of 2302
the applicant's state identification card as they are provided 2303
in the application are not inconsistent with the information on 2304
file with the bureau of motor vehicles; 2305

(c) The applicant is a United States citizen, will have 2306
lived in this state for thirty days immediately preceding the 2307
next election, will be at least eighteen years of age on or 2308
before the day of the next general election, and is otherwise 2309
eligible to register to vote; 2310

(d) The applicant attests to the truth and accuracy of the 2311
information submitted in the online application under penalty of 2312
election falsification. 2313

(B) If an individual registers to vote or a registered 2314
elector updates the elector's name, address, or both under this 2315
section, the secretary of state shall obtain an electronic copy 2316
of the applicant's or elector's signature that is on file with 2317
the bureau of motor vehicles. That electronic signature shall be 2318
used as the applicant's or elector's signature on voter 2319
registration records, for all election and signature-matching 2320
purposes. 2321

(C) The secretary of state shall employ whatever security 2322
measures the secretary of state considers necessary to ensure 2323
the integrity and accuracy of voter registration information 2324
submitted electronically pursuant to this section. Errors in 2325
processing voter registration applications in the online system 2326
shall not prevent an applicant from becoming registered or from 2327
voting. 2328

(D) The online voter registration application established 2329
under division (A) of this section shall include both of the 2330
following: 2331

(1) An option for the voter to provide the voter's former 2332
residence address or addresses, if the voter is currently 2333
registered to vote at another address; 2334

(2) The following language: 2335

"By clicking the box below, I affirm all of the following 2336
under penalty of election falsification, ~~which is a felony of~~ 2337
~~the fifth degree:~~ 2338

~~(1)~~ (a) I am the person whose name and identifying 2339
information is provided on this form, and I desire to register 2340
to vote, or update my voter registration, in the State of Ohio. 2341

~~(2)~~ (b) All of the information I have provided on this 2342
form is true and correct as of the date I am submitting this 2343
form. 2344

~~(3)~~ (c) I am a United States citizen. 2345

~~(4)~~ (d) I will have lived in Ohio for thirty days 2346
immediately preceding the next election. 2347

~~(5)~~ (e) I will be at least eighteen years of age on or 2348
before the day of the next general election. 2349

~~(6)~~ (f) I authorize the Bureau of Motor Vehicles to 2350
transmit to the Ohio Secretary of State my signature that is on 2351
file with the Bureau of Motor Vehicles, and I understand and 2352
agree that the signature transmitted by the Bureau of Motor 2353
Vehicles will be used by the Secretary of State to validate this 2354
electronic voter registration application as if I had signed 2355
this form personally. 2356

(g) I understand that if I am registered to vote at any 2357
other address, the election officials will be notified of my 2358
change of address. 2359

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2360
FELONY OF THE FIFTH DEGREE." 2361

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

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

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

Sec. 3503.201. (A) (1) When the board of elections receives a voter registration application or a notice of change of address or change of name, if the form is complete and the board is satisfied as to the truth of the statements made in the form, the board shall register the applicant or update the applicant's registration.

(2) If the form is incomplete, the board promptly shall send the applicant a notice that specifies the information necessary to complete or update the applicant's registration.

(3) If the board determines that the applicant appears not 2392
to be eligible to vote, the board shall reject the form and 2393
refer the matter to the election integrity unit for 2394
investigation under section 3501.055 of the Revised Code. 2395

(B) (1) Except as otherwise provided in divisions (B) (2) 2396
and (3) of this section, upon registering an elector or updating 2397
an elector's registration, the board shall mark the elector's 2398
registration record, the official registration list, and the 2399
poll list or signature pollbook to indicate that the elector 2400
must vote by provisional ballot because the applicant's 2401
citizenship has not been verified. 2402

(2) Division (B) (1) of this section does not apply to an 2403
elector if the statewide voter registration database indicates 2404
that the elector's citizenship has been verified. 2405

(3) Division (B) (1) of this section does not prohibit a 2406
uniformed services or overseas absent voter from voting in a 2407
general election for federal office using a federal write-in 2408
absentee ballot as permitted under division (C) of section 2409
3511.14 of the Revised Code. 2410

(C) (1) The board shall register an applicant or update the 2411
applicant's registration under division (A) (1) of this section 2412
not later than twenty business days after receiving the 2413
application, unless that application is received during the 2414
thirty days immediately preceding the day of an election, and 2415
promptly shall send the applicant an acknowledgment notice. 2416

(2) The acknowledgment notice shall include all of the 2417
following information: 2418

(a) The fact that the elector has been registered to vote 2419
or has had the elector's registration updated, as applicable; 2420

<u>(b) The precinct in which the elector is to vote;</u>	2421
<u>(c) In bold type as follows:</u>	2422
<u>"Voters must bring photo identification to the polls in</u>	2423
<u>order to verify identity. Voters who do not provide photo</u>	2424
<u>identification will still be able to vote by casting a</u>	2425
<u>provisional ballot."</u>	2426
<u>(d) Whether the elector's United States citizenship has</u>	2427
<u>been verified;</u>	2428
<u>(e) If the elector's United States citizenship has not</u>	2429
<u>been verified, the fact that the elector will be required to</u>	2430
<u>provide proof of citizenship to the board in order to cast a</u>	2431
<u>regular ballot and the manner in which the elector may do so</u>	2432
<u>under section 3503.202 of the Revised Code.</u>	2433
<u>(3) The board shall send the acknowledgment notice by</u>	2434
<u>nonforwardable mail. If the acknowledgment notice is returned to</u>	2435
<u>the board as undeliverable, it shall investigate and cause the</u>	2436
<u>acknowledgment notice to be delivered to the correct address.</u>	2437
<u>(4) If, after investigating as required under division (C)</u>	2438
<u>(3) of this section, the board is unable to verify the elector's</u>	2439
<u>correct address, it shall proceed under section 3503.202 of the</u>	2440
<u>Revised Code.</u>	2441
<u>(D) Upon receiving a report from the secretary of state</u>	2442
<u>under section 3503.152 of the Revised Code, indicating that the</u>	2443
<u>secretary of state has verified that the applicant is a United</u>	2444
<u>States citizen, the board shall do all of the following:</u>	2445
<u>(1) Indicate in the elector's registration record that the</u>	2446
<u>elector's United States citizenship has been verified;</u>	2447
<u>(2) Remove the indication that the elector must vote by</u>	2448

provisional ballot. If the board receives the report during the 2449
period beginning on the forty-sixth day before an election and 2450
ending on the day before the day of the election, the board 2451
shall remove the indication as soon as possible after receiving 2452
the report. 2453

(3) Notify the elector, on a form prescribed by the 2454
secretary of state, that the elector's United States citizenship 2455
has been verified. The notice required under this division may 2456
be included in the acknowledgment notice described under 2457
division (C) of this section if the board has not yet sent the 2458
elector an acknowledgment notice. 2459

Sec. 3503.202. (A) (1) When any of the following occur, the 2460
board of elections shall send the elector a confirmation notice 2461
and, if the board's records are not already so marked, shall 2462
mark the elector's registration record, the official 2463
registration list, and the poll list or signature pollbook to 2464
indicate that the elector must vote by provisional ballot and 2465
the reason the elector must do so: 2466

(a) The board determines that it is unable to verify an 2467
elector's residence address, as described in division (C) (4) of 2468
section 3503.201 of the Revised Code. 2469

(b) The board receives information from the secretary of 2470
state under division (E) of section 3503.151 of the Revised Code 2471
indicating that the board must verify the elector's first name, 2472
last name, date of birth, or Ohio driver's license or state 2473
identification card number or the last four digits of the 2474
elector's social security number. 2475

(c) The board receives a report from the secretary of 2476
state under section 3503.152 of the Revised Code indicating that 2477

the secretary of state has been unable to determine whether the 2478
elector is a United States citizen. Upon receiving notice in a 2479
subsequent report under section 3503.152 of the Revised Code 2480
that the secretary of state has verified that the elector is a 2481
United States citizen, the board shall do all of the following: 2482

(i) Indicate in the elector's registration record that the 2483
elector's United States citizenship has been verified; 2484

(ii) Remove the indication that the elector must vote by 2485
provisional ballot under division (A) (1) (c) of this section; 2486

(iii) Notify the elector, on a form prescribed by the 2487
secretary of state, that the elector's United States citizenship 2488
has been verified. 2489

(2) A confirmation notice sent to an elector under 2490
division (A) (1) of this section shall include all of the 2491
following: 2492

(a) The information the board must verify; 2493

(b) The manner in which the elector may provide the 2494
required information to the board before the elector next 2495
appears to vote, as described in division (B) of this section, 2496
or when casting a provisional ballot, as described in division 2497
(D) of this section; 2498

(c) The date by which the elector must provide the 2499
required information to the board in order to avoid having the 2500
elector's registration canceled under division (A) (7) of section 2501
3503.21 of the Revised Code. 2502

(B) An elector whose registration record has been marked 2503
under division (A) of this section or division (B) (1) of section 2504
3503.201 of the Revised Code to indicate that the elector must 2505

cast a provisional ballot is not required to cast a provisional 2506
ballot if, before the elector next appears to vote, the elector 2507
does the following, as applicable: 2508

(1) Provides a valid residence address to the board, if 2509
the board must verify the elector's residence address; 2510

(2) Provides the necessary information or documentation to 2511
the board to rectify any identified mismatch between the 2512
elector's registration record and the first name, last name, 2513
date of birth, or Ohio driver's license or state identification 2514
card number or the last four digits of the elector's social 2515
security number in the database of the bureau of motor vehicles 2516
or the United States social security administration, as 2517
confirmed by the secretary of state; 2518

(3) Provides proof of citizenship to the board, if the 2519
board must verify the elector's United States citizenship. 2520

(C) When the board has verified all of the information the 2521
board is required to verify concerning an elector under division 2522
(B) of this section, the board shall correct or update the 2523
elector's registration, as applicable, and shall remove the 2524
indication that the elector must vote by provisional ballot. The 2525
board shall not remove a provisional ballot indication until 2526
every piece of information that must be verified concerning the 2527
elector has been verified. 2528

(D) (1) (a) Except as otherwise provided in divisions (B) 2529
and (D) (1) (b) of this section, at the first election at which an 2530
elector whose registration record is marked to indicate that the 2531
elector must vote by provisional ballot under this section or 2532
section 3503.201 of the Revised Code appears to vote, the 2533
elector shall vote by provisional ballot. 2534

(b) Division (D) (1) (a) of this section does not prohibit a 2535
uniformed services or overseas absent voter who is required to 2536
cast a provisional ballot under division (B) (1) of section 2537
3503.201 of the Revised Code, but for no other reason, from 2538
voting in a general election for federal office using a federal 2539
write-in absentee ballot as permitted under division (C) of 2540
section 3511.14 of the Revised Code. 2541

(2) In order for the elector's provisional ballot to be 2542
eligible to be counted, in addition to meeting all other 2543
requirements described in division (B) (3) of section 3505.183 of 2544
the Revised Code, the elector shall provide the applicable 2545
required information as described in division (B) of this 2546
section on or attached to the provisional ballot affirmation, or 2547
shall appear in person at the office of the board within four 2548
days after the day of the election and provide that information. 2549

(3) If the elector's provisional ballot is counted 2550
pursuant to division (B) (3) of section 3505.183 of the Revised 2551
Code and division (D) (2) of this section, the board shall 2552
correct or update the elector's registration, as applicable, and 2553
shall remove the indication that the elector must vote by 2554
provisional ballot. 2555

(4) If the provisional ballot is not counted pursuant to 2556
division (B) (4) (a) (i), (v), or (vi) of section 3505.183 of the 2557
Revised Code or division (D) (2) of this section, the board shall 2558
cancel the elector's registration in accordance with section 2559
3503.21 of the Revised Code. 2560

Sec. 3503.21. (A) The registration of a registered elector 2561
shall be canceled only upon the occurrence of any of the 2562
following: 2563

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

(2) The filing of a notice of the death of a registered elector as provided in section 3503.18 of the Revised Code;

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

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

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

(6) The change of residence of the registered elector to a location outside the county of registration in accordance with division (B) of this section or as described in section 3503.33 of the Revised Code;

(7) The failure of the registered elector, after having been mailed a confirmation notice, to do either of the following:

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

(b) Update the elector's registration and vote at least 2593
once during a period of four consecutive years, which period 2594
shall include two general federal elections. 2595

(8) The receipt by the board of elections of a 2596
cancellation notice or request pursuant to section 111.44 of the 2597
Revised Code; 2598

(9) The circumstances described in division (F) of section 2599
3503.151 of the Revised Code; 2600

(10) The receipt by the board of elections of a report 2601
from the secretary of state indicating that the person is not a 2602
United States citizen, as described in division (B) (2) of 2603
section 3503.152 of the Revised Code; 2604

(11) The circumstances described in division (D) (4) of 2605
section 3503.202 of the Revised Code; 2606

(12) The circumstances described in section 111.44 of the 2607
Revised Code; 2608

(13) The circumstances described in division (Q) of 2609
section 3501.05 of the Revised Code; 2610

(14) The circumstances described in division (C) of 2611
section 3503.24 of the Revised Code; 2612

(15) The determination by the board of elections that the 2613
elector is a fictitious person; 2614

(16) The determination by the board of elections that the 2615
registration is a duplicate. 2616

(B) (1) The secretary of state shall prescribe procedures 2617
to transfer a registrant's voter registration information when 2618
the registrant moves from one county to another within this 2619

state and updates the registrant's voter registration, as 2620
described in section 3503.33 of the Revised Code, and to 2621
identify and cancel the registration in a prior county of 2622
residence of any registrant who changes the registrant's voting 2623
residence to a location outside the registrant's current county 2624
of registration without updating the registrant's voter 2625
registration. Any procedures prescribed in this division shall 2626
be uniform and nondiscriminatory, and shall comply with the 2627
Voting Rights Act of 1965. The secretary of state may prescribe 2628
procedures under this division that include the use of the 2629
national change of address service provided by the United States 2630
postal system through its licensees. Any program so prescribed 2631
shall be completed not later than ninety days prior to the date 2632
of any primary or general election for federal office. 2633

(2) The registration of any elector identified as having 2634
changed the elector's voting residence to a location outside the 2635
elector's current county of registration without updating the 2636
elector's registration shall not be canceled unless the 2637
registrant is sent a confirmation notice on a form prescribed by 2638
the secretary of state and the registrant fails to respond to 2639
the confirmation notice or otherwise update the registration and 2640
fails to vote in any election during the period of two federal 2641
elections subsequent to the mailing of the confirmation notice. 2642

~~(C) The registration of a registered elector shall not be~~ 2643
~~canceled except as provided in this section, section 111.44 of~~ 2644
~~the Revised Code, division (Q) of section 3501.05 of the Revised~~ 2645
~~Code, division (C)(2) of section 3503.19 of the Revised Code, or~~ 2646
~~division (C) of section 3503.24 of the Revised Code.~~ 2647

~~(D)~~Boards of elections shall send their voter 2648
registration information to the secretary of state as required 2649

under section 3503.15 of the Revised Code. The secretary of 2650
state may prescribe by rule adopted pursuant to section 111.15 2651
of the Revised Code the format in which the boards of elections 2652
must send that information to the secretary of state. In the 2653
first quarter of each year, the secretary of state shall send 2654
the information to the national change of address service 2655
described in division (B) of this section and request that 2656
service to provide the secretary of state with a list of any 2657
voters sent by the secretary of state who have moved within the 2658
last twelve months. The secretary of state shall transmit to 2659
each appropriate board of elections whatever lists the secretary 2660
of state receives from that service. The board shall send a 2661
notice to each person on the list transmitted by the secretary 2662
of state requesting confirmation of the person's change of 2663
address, together with a postage prepaid, preaddressed return 2664
envelope containing a form on which the voter may verify or 2665
correct the change of address information. 2666

~~(E)~~ (D) The registration of a registered elector described 2667
in division (A) (7) or (B) (2) of this section shall be canceled 2668
not later than one hundred twenty days after the date of the 2669
second general federal election in which the elector fails to 2670
vote or not later than one hundred twenty days after the 2671
expiration of the four-year period in which the elector fails to 2672
vote or respond to a confirmation notice, whichever is later. 2673

~~(F) (1)~~ (E) (1) When a registration is canceled pursuant to 2674
~~division (A) (2) or (3) of this section,~~ the applicable board of 2675
elections shall send a written notice, on a form prescribed by 2676
the secretary of state, to the address at which the elector was 2677
registered, informing the recipient that the elector's 2678
registration has been canceled, of the reason for the 2679
cancellation, and that if the cancellation was made in error, 2680

the elector may contact the board of elections to correct the 2681
error. 2682

(2) If the elector's registration is canceled ~~pursuant to~~ 2683
~~division (A) (2) or (3) of this section~~ in error, it shall be 2684
restored and treated as though it were never canceled. 2685

Sec. 3503.33. If an elector applying for registration is 2686
already registered in another state or in another county within 2687
this state, the elector shall ~~declare this fact to the~~ 2688
~~registration officer and shall sign~~ an authorization to cancel 2689
or transfer the elector's previous registration on a form 2690
prescribed by the secretary of state. If the elector does not 2691
sign such an authorization, the elector's registration 2692
application authorizes the transfer of the elector's previous 2693
registration from one county to another within this state or the 2694
cancellation of the elector's registration in the elector's 2695
previous state of residence, as applicable. 2696

~~The~~ In the case of an elector who moves from one county to 2697
another within this state, the director of the board of 2698
elections shall ~~mail all such authorizations~~ transmit a copy of 2699
the elector's new registration form and any accompanying 2700
authorization form to the board of elections ~~or comparable~~ 2701
agency of the ~~proper state and county~~ of the elector's former 2702
registration. Upon the receipt of ~~this authorization~~ the 2703
registration form and any accompanying authorization form from 2704
the forwarding county, the director of ~~a~~ the board of elections- 2705
in Ohio, upon a comparison of the elector's signature with the 2706
elector's signature as it appears on the registration files, 2707
shall remove the elector's former registration from the files, 2708
transfer the information in it to the board of elections of the 2709
elector's new county, and place it with the ~~cancellation~~ 2710

~~authorization~~ new registration form and any accompanying 2711
authorization form in a separate file which shall be kept for a 2712
period of two calendar years. ~~The board shall notify the elector~~ 2713
~~at the present address as shown on the cancellation~~ 2714
~~authorization that his registration has been canceled.~~ 2715

In the case of an elector who moves into this state, the 2716
director of the board of elections shall transmit a copy of the 2717
elector's new registration form and any accompanying 2718
authorization form to the chief election official of the state 2719
of the elector's former registration. 2720

Sec. 3505.181. (A) All of the following individuals shall 2721
be permitted to cast a provisional ballot at an election: 2722

(1) An individual who declares that the individual is a 2723
registered voter in the precinct in which the individual desires 2724
to vote and that the individual is eligible to vote in an 2725
election, but the name of the individual does not appear on the 2726
official list of eligible voters for the precinct or an election 2727
official asserts that the individual is not eligible to vote; 2728

(2) An individual who does not have or is unable to 2729
provide photo identification to the election officials; 2730

(3) An individual whose name in the poll list or signature 2731
pollbook has been marked under section 3509.09 or 3511.13 of the 2732
Revised Code as having requested an absent voter's ballot or a 2733
uniformed services or overseas absent voter's ballot for that 2734
election and who appears to vote at the polling place; 2735

(4) An individual ~~whose notification of registration has~~ 2736
~~been returned undelivered to the board of elections and whose~~ 2737
name in the official registration list and in the poll list or 2738
signature pollbook has been marked under ~~division (C) (2) of~~ 2739

section ~~3503.19~~ 3503.201 or 3503.202 of the Revised Code, except 2740
as otherwise provided in division (C) of section 3511.14 of the 2741
Revised Code; 2742

(5) An individual who has been successfully challenged 2743
under section 3505.20 or 3513.20 of the Revised Code; 2744

(6) An individual who changes the individual's name ~~and~~ 2745
~~remains within the precinct without providing proof of that name~~ 2746
~~change under division (B) (1) (b) of section 3503.16 of the~~ 2747
~~Revised Code, moves from one precinct to another~~ within a 2748
county, moves from one precinct to another within a 2749
changes the individual's name, or moves from one county to 2750
another within the state, ~~and completes and signs the required~~ 2751
~~forms and statements under~~ as described in division (B) or (C) 2752
of section 3503.16 of the Revised Code; 2753

(7) An individual whose signature, in the opinion of the 2754
precinct officers under section 3505.22 of the Revised Code, is 2755
not that of the person who signed that name in the registration 2756
forms. 2757

(B) An individual who is eligible to cast a provisional 2758
ballot under division (A) of this section shall be permitted to 2759
cast a provisional ballot as follows: 2760

(1) An election official at the polling place shall notify 2761
the individual that the individual may cast a provisional ballot 2762
in that election. 2763

(2) Except as otherwise provided in division ~~(F)~~ (G) of 2764
this section, the individual shall complete and execute a 2765
written affirmation before an election official at the polling 2766
place stating that the individual is both of the following: 2767

(a) A registered voter in the precinct in which the 2768

individual desires to vote; 2769

(b) Eligible to vote in that election. 2770

(3) An election official at the polling place shall 2771
transmit the ballot cast by the individual and the voter 2772
information contained in the written affirmation executed by the 2773
individual under division (B) (2) of this section to an 2774
appropriate local election official for verification under 2775
division (B) (4) of this section. 2776

(4) If the appropriate local election official to whom the 2777
ballot or voter or address information is transmitted under 2778
division (B) (3) of this section determines that the individual 2779
is eligible to vote, the individual's provisional ballot shall 2780
be counted as a vote in that election. 2781

(5) (a) At the time that an individual casts a provisional 2782
ballot, the appropriate local election official shall give the 2783
individual written information that states that any individual 2784
who casts a provisional ballot will be able to ascertain under 2785
the system established under division (B) (5) (b) of this section 2786
whether the vote was counted, and, if the vote was not counted, 2787
the reason that the vote was not counted. 2788

(b) The appropriate state or local election official shall 2789
establish a free access system, in the form of a toll-free 2790
telephone number, that any individual who casts a provisional 2791
ballot may access to discover whether the vote of that 2792
individual was counted, and, if the vote was not counted, the 2793
reason that the vote was not counted. The free access system 2794
established under this division also shall provide to an 2795
individual whose provisional ballot was not counted information 2796
explaining how that individual may contact the board of 2797

elections to register to vote or to resolve problems with the 2798
individual's voter registration. 2799

The appropriate state or local election official shall 2800
establish and maintain reasonable procedures necessary to 2801
protect the security, confidentiality, and integrity of personal 2802
information collected, stored, or otherwise used by the free 2803
access system established under this division. The system shall 2804
permit an individual only to gain access to information about 2805
the individual's own provisional ballot. 2806

(6) If, at the time that an individual casts a provisional 2807
ballot, the individual provides photo identification, the 2808
individual shall record the type of identification provided on 2809
the provisional ballot affirmation and, if the individual 2810
provides an Ohio driver's license, state identification card, or 2811
interim identification document, the individual also shall write 2812
the individual's driver's license or state identification card 2813
number on the provisional ballot affirmation. 2814

(7) (a) For a provisional ballot to be eligible to be 2815
counted when it is cast by an individual who does not have photo 2816
identification because the individual has a religious objection 2817
to being photographed, the individual shall complete an 2818
affidavit of religious objection under section 3505.19 of the 2819
Revised Code. The election officials shall attach the affidavit 2820
to the individual's provisional ballot envelope. If the 2821
individual does not complete the affidavit at the time of 2822
casting the provisional ballot, the individual may appear at the 2823
office of the board of elections within four days after the day 2824
of the election and complete the affidavit. 2825

(b) For a provisional ballot to be eligible to be counted 2826
when it is cast by any other individual who does not have or is 2827

unable to provide photo identification to the election 2828
officials, the individual who cast that ballot, within four days 2829
after the day of the election, shall appear at the office of the 2830
board of elections and provide photo identification. 2831

(8) For a provisional ballot cast by an individual who has 2832
been successfully challenged under section 3505.20 of the 2833
Revised Code to be eligible to be counted, the individual who 2834
cast that ballot, within four days after the day of that 2835
election, shall provide to the board of elections any 2836
identification or other documentation required to be provided by 2837
the applicable challenge questions asked of that individual 2838
under section 3505.20 of the Revised Code. 2839

(C) (1) If an individual declares that the individual is 2840
eligible to vote in a precinct other than the precinct in which 2841
the individual desires to vote, or if, upon review of the 2842
precinct voting location guide using the residential street 2843
address provided by the individual, an election official at the 2844
precinct at which the individual desires to vote determines that 2845
the individual is not eligible to vote in that precinct, the 2846
election official shall direct the individual to the precinct 2847
and polling place in which the individual appears to be eligible 2848
to vote, explain that the individual may cast a provisional 2849
ballot at the current location but the ballot or a portion of 2850
the ballot will not be counted if it is cast in the wrong 2851
precinct, and provide the telephone number of the board of 2852
elections in case the individual has additional questions. 2853

(2) If the individual refuses to travel to the correct 2854
precinct or to the office of the board of elections to cast a 2855
ballot, the individual shall be permitted to vote a provisional 2856
ballot at that precinct in accordance with division (B) of this 2857

section. If the individual is in the correct polling location 2858
for the precinct in which the individual is registered and 2859
eligible to vote, the election official shall complete and sign, 2860
under penalty of election falsification, a form that includes 2861
all of the following, and attach the form to the individual's 2862
provisional ballot affirmation: 2863

(a) The name or number of the individual's correct 2864
precinct; 2865

(b) A statement that the election official instructed the 2866
individual to travel to the correct precinct to vote; 2867

(c) A statement that the election official informed the 2868
individual that casting a provisional ballot in the wrong 2869
precinct would result in all or a portion of the votes on the 2870
ballot being rejected; 2871

(d) The name or number of the precinct in which the 2872
individual is casting a provisional ballot; and 2873

(e) The name of the polling location in which the 2874
individual is casting a provisional ballot. 2875

(D) The appropriate local election official shall cause 2876
voting information to be publicly posted at each polling place 2877
on the day of each election. 2878

(E) As used in this section and sections 3505.182 and 2879
3505.183 of the Revised Code: 2880

(1) "Precinct voting location guide" means either of the 2881
following: 2882

(a) An electronic or paper record that lists the correct 2883
precinct and polling place for either each specific residential 2884
street address in the county or the range of residential street 2885

addresses located in each neighborhood block in the county; 2886

(b) Any other method that a board of elections creates 2887
that allows a precinct election official or any elector who is 2888
at a polling place in that county to determine the correct 2889
precinct and polling place of any qualified elector who resides 2890
in the county. 2891

(2) "Voting information" means all of the following: 2892

(a) A sample version of the ballot that will be used for 2893
that election; 2894

(b) Information regarding the date of the election and the 2895
hours during which polling places will be open; 2896

(c) Instructions on how to vote, including how to cast a 2897
vote and how to cast a provisional ballot; 2898

(d) Instructions for mail-in registrants and first-time 2899
voters under applicable federal and state laws; 2900

(e) General information on voting rights under applicable 2901
federal and state laws, including information on the right of an 2902
individual to cast a provisional ballot and instructions on how 2903
to contact the appropriate officials if these rights are alleged 2904
to have been violated; 2905

(f) General information on federal and state laws 2906
regarding prohibitions against acts of fraud and 2907
misrepresentation. 2908

(F) Except as otherwise permitted by sections 3509.08 and 2909
3511.04 of the Revised Code, an individual may cast a 2910
provisional ballot only in person at a polling place or at the 2911
office of a board of elections. 2912

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

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

"Provisional Ballot Affirmation

(A) Clearly print your full name: _____

(B) Write your date of birth: _____

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

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

Yes _____ No _____

If yes, write your former address: _____

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

(D) (1) You must show photo identification to the election

official that includes your name and photograph and is not 2940
expired. Check the type of photo identification you provided: 2941

_____ An Ohio driver's license or state identification 2942
card or an interim identification form issued by the Bureau of 2943
Motor Vehicles. If you showed your Ohio driver's license or 2944
state identification card or an interim identification form, 2945
write your full driver's license or state identification card 2946
number: _____ 2947

_____ A United States passport or passport card; 2948

_____ A United States military identification card, Ohio 2949
national guard identification card, or United States department 2950
of veterans affairs identification card. 2951

(2) If you do not have photo identification because you 2952
have a religious objection to being photographed, complete an 2953
affidavit of religious objection. The precinct election official 2954
will attach it to the provisional ballot envelope. 2955

(3) If you did not show photo identification to the 2956
election official or complete an affidavit of religious 2957
objection, you must appear at the office of the board of 2958
elections during the four days after the election and provide 2959
photo identification or complete an affidavit of religious 2960
objection for your vote to be eligible to be counted. 2961

(4) If Complete this section if you need to update your 2962
voter registration, you may provide additional information 2963
below. This information will not be used for ballot counting 2964
purposes or if you need to verify the identification you used to 2965
register to vote. If you need to verify your identification and 2966
you do not provide the needed information on this form, you must 2967
provide the information to the board of elections on or before 2968

the fourth day following this election in order for your ballot 2969
to be eligible to be counted. 2970

Write your full Ohio driver's license or state 2971
identification card number: _____ 2972

Write the last four digits of your Social Security number: 2973
_____ 2974

(5) If you are casting a provisional ballot because you 2975
need to provide proof of citizenship, either write your full 2976
Ohio driver's license or state identification card number above 2977
or attach proof of citizenship to the outside of this envelope. 2978
If you do not provide proof of citizenship at this time, you 2979
must provide proof of citizenship to the board of elections on 2980
or before the fourth day following this election in order for 2981
your ballot to be eligible to be counted. 2982

(E) If your right to vote has been challenged, you must 2983
provide any required additional information to the board of 2984
elections on or before the ~~seventh~~fourth day following this 2985
election. 2986

(F) Sign and date the following statement: 2987

I solemnly swear or affirm that I am a citizen of the 2988
United States; that I will be at least 18 years of age at the 2989
time of the general election; that I have lived in this state 2990
for 30 days immediately preceding this election in which I am 2991
voting this ballot; that I am a registered voter in the precinct 2992
in which I am voting this provisional ballot; ~~and~~ that I am 2993
eligible to vote in the election in which I am voting this 2994
provisional ballot; and that I will not vote or attempt to vote 2995
at any other location or in any other manner for this particular 2996
election. 2997

I understand that, if the information I provide on this provisional ballot affirmation is not fully completed and correct, if the board of elections determines that I am not registered to vote, a resident of this precinct, or eligible to vote in this election, or if the board of elections determines that I have already voted in this election, my provisional ballot will not be counted. I understand that, if I am not currently registered to vote or if I am not registered at my current address or under my current name, this form will serve as an application to register to vote or update my registration for future elections, as long as I provide all of the information required to register to vote or update my registration. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

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

Signature of Voter

Date

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

In the case of an individual who is casting a provisional ballot because the individual needs to provide proof of citizenship, the election officials shall provide the individual with a copy of a list of the documents that qualify as proof of citizenship.

In addition to any information required to be included on 3027
the written affirmation, an individual casting a provisional 3028
ballot may provide additional information to the election 3029
official to assist the board of elections in determining the 3030
individual's eligibility to vote in that election, including the 3031
date and location at which the individual registered to vote, if 3032
known. 3033

If the individual provided all of the information required 3034
under section 3503.14 of the Revised Code to register to vote or 3035
to update the individual's registration on the provisional 3036
ballot affirmation, the board of elections shall consider the 3037
individual's provisional ballot affirmation to also serve as a 3038
notice of change of name, change of residence, or both, or as a 3039
voter registration form, as applicable, for that individual only 3040
for the purposes of future elections. 3041

Sec. 3505.183. (A) When the ballot boxes are delivered to 3042
the board of elections from the precincts, the board shall 3043
separate the provisional ballot envelopes from the rest of the 3044
ballots. Teams of employees of the board consisting of one 3045
member of each major political party shall place the sealed 3046
provisional ballot envelopes in a secure location within the 3047
office of the board. The sealed provisional ballot envelopes 3048
shall remain in that secure location until the validity of those 3049
ballots is determined under division (B) of this section. While 3050
the provisional ballot is stored in that secure location, and 3051
prior to the counting of the provisional ballots, if the board 3052
receives information regarding the validity of a specific 3053
provisional ballot under division (B) of this section, the board 3054
may note, on the sealed provisional ballot envelope for that 3055
ballot, whether the ballot is valid and entitled to be counted. 3056

(B) (1) To determine whether a provisional ballot is valid 3057
and entitled to be counted, the board shall examine its records 3058
and determine whether the individual who cast the provisional 3059
ballot is registered and eligible to vote in the applicable 3060
election. The board shall examine the information contained in 3061
the written affirmation executed by the individual who cast the 3062
provisional ballot under division (B) (2) of section 3505.181 of 3063
the Revised Code or under section 3511.052 of the Revised Code, 3064
as applicable. The following information shall be included in 3065
the written affirmation in order for the provisional ballot to 3066
be eligible to be counted: 3067

(a) The individual's printed name, signature, date of 3068
birth, and current address; 3069

(b) A statement that the individual is a registered voter 3070
in the precinct in which the provisional ballot is being voted; 3071

(c) A statement that the individual is eligible to vote in 3072
the election in which the provisional ballot is being voted. 3073

(2) In addition to the information required to be included 3074
in an affirmation under division (B) (1) of this section, in 3075
determining whether a provisional ballot is valid and entitled 3076
to be counted, the board also shall examine any additional 3077
information for determining ballot validity provided by the 3078
provisional voter on the affirmation, provided by the 3079
provisional voter to an election official under section 3505.182 3080
or 3511.052 of the Revised Code, or provided to the board of 3081
elections during the four days after the day of the election 3082
under ~~division (B) (7) or (8) of~~ section 3505.181 or 3511.052 of 3083
the Revised Code, to assist the board in determining the 3084
individual's eligibility to vote. 3085

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

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

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

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

(d) One of the following applies:

(i) The individual ~~provided~~ showed photo identification to the election officials at the time of casting the provisional ballot or appeared at the office of the board within four days after the day of the election and provided photo identification_ or, in the case of a provisional uniformed services or overseas absent voter's ballot cast under section 3511.052 of the Revised Code, the individual provided a copy of the individual's photo identification with the provisional ballot or provided that copy to the board of elections within four days after the day of the election. If the individual ~~provided~~ showed the individual's Ohio driver's license or state identification card or an interim

identification form to the election officials, the individual 3115
provided the individual's driver's license number or state 3116
identification card number and the number is not different from 3117
the individual's driver's license number or state identification 3118
card number contained in the statewide voter registration 3119
database. 3120

(ii) The individual completed an affidavit of religious 3121
objection under section 3505.19 of the Revised Code at the time 3122
of casting the provisional ballot or at the office of the board 3123
within four days after the day of the election and the affidavit 3124
is valid under that section. 3125

(e) Except as otherwise provided in this division, the 3126
month and day of the individual's date of birth are not 3127
different from the day and month of the individual's date of 3128
birth contained in the statewide voter registration database. 3129

This division does not apply to an individual's 3130
provisional ballot if either of the following is true: 3131

(i) The individual's date of birth contained in the 3132
statewide voter registration database is January 1, 1800. 3133

(ii) The board of elections has found, by a vote of at 3134
least three of its members, that the individual has met all 3135
other requirements of division (B)(3) of this section. 3136

(f) The individual's current address is not different from 3137
the individual's address contained in the statewide voter 3138
registration database, unless the individual indicated that the 3139
individual is casting a provisional ballot because the 3140
individual has moved and has not submitted a notice of change of 3141
address, as described in division (A)(6) of section 3505.181 of 3142
the Revised Code. 3143

(g) If applicable, the individual provided any additional 3144
information required under division (B) (8) of section 3505.181 3145
of the Revised Code within four days after the day of the 3146
election. 3147

(h) If applicable, the individual provided the information 3148
required under division (D) (2) of section 3503.202 of the 3149
Revised Code on the provisional ballot affirmation or within 3150
four days after the day of the election. 3151

(4) (a) Except as otherwise provided in division (D) of 3152
this section, if, in examining a provisional ballot affirmation 3153
and additional information under divisions (B) (1) and (2) of 3154
this section and comparing the information required under 3155
division (B) (1) of this section with the individual's 3156
information in the statewide voter registration database, the 3157
board determines that any of the following applies, the 3158
provisional ballot envelope shall not be opened, and the ballot 3159
shall not be counted: 3160

(i) The individual named on the affirmation is not 3161
qualified or is not properly registered to vote. 3162

(ii) The individual named on the affirmation is not 3163
eligible to cast a ballot in the precinct or for the election in 3164
which the individual cast the provisional ballot. 3165

(iii) The individual did not provide all of the 3166
information required under division (B) (1) of this section in 3167
the affirmation that the individual executed at the time the 3168
individual cast the provisional ballot. 3169

(iv) The individual has already cast a ballot for the 3170
election in which the individual cast the provisional ballot. 3171

(v) If applicable, the individual did not provide any 3172

additional information required under division (B) (8) of section 3173
3505.181 of the Revised Code within four days after the day of 3174
the election. 3175

(vi) The individual failed to ~~provide~~show photo 3176
identification, failed to provide the individual's driver's 3177
license or state identification card number if the individual 3178
~~provided~~showed photo identification in the form of an Ohio 3179
driver's license or state identification card or an interim 3180
identification form, failed to provide a copy of the 3181
individual's photo identification with the individual's 3182
provisional uniformed services or overseas absent voter's ballot 3183
or to provide that copy to the board of elections within four 3184
days after the day of the election, or failed to complete an 3185
affidavit of religious objection. 3186

(vii) The individual failed to execute an affirmation 3187
under division (B) of section 3505.181 of the Revised Code. 3188

(viii) The individual ~~provided~~showed photo identification 3189
in the form of an Ohio driver's license or state identification 3190
card or an interim identification form and the driver's license 3191
number or state identification card number the individual 3192
provided is different from the individual's driver's license 3193
number or state identification card number contained in the 3194
statewide voter registration database. 3195

(ix) The individual completed an affidavit of religious 3196
objection under section 3505.19 of the Revised Code, but the 3197
affidavit is not valid under that section. 3198

(x) Except as otherwise provided in this division, the 3199
month and day of the individual's date of birth are different 3200
from the day and month of the individual's date of birth 3201

contained in the statewide voter registration database. 3202

This division does not apply to an individual's 3203
provisional ballot if either of the following is true: 3204

(I) The individual's date of birth contained in the 3205
statewide voter registration database is January 1, 1800. 3206

(II) The board of elections has found, by a vote of at 3207
least three of its members, that the individual has met all of 3208
the requirements of division (B) (3) of this section, other than 3209
the requirements of division (B) (3) (e) of this section. 3210

(xi) The individual's current address is different from 3211
the individual's address contained in the statewide voter 3212
registration database, unless the individual indicated that the 3213
individual is casting a provisional ballot because the 3214
individual has moved and has not submitted a notice of change of 3215
address, as described in division (A) (6) of section 3505.181 of 3216
the Revised Code. 3217

(xii) If applicable, the individual did not provide the 3218
information required under division (D) (2) of section 3503.202 3219
of the Revised Code on the provisional ballot affirmation or 3220
within four days after the day of the election. 3221

(b) If, in examining a provisional ballot affirmation and 3222
additional information under divisions (B) (1) and (2) of this 3223
section and comparing the information required under division 3224
(B) (1) of this section with the individual's information in the 3225
statewide voter registration database, the board is unable to 3226
determine either of the following, the provisional ballot 3227
envelope shall not be opened, and the ballot shall not be 3228
counted: 3229

(i) Whether the individual named on the affirmation is 3230

qualified or properly registered to vote; 3231

(ii) Whether the individual named on the affirmation is 3232
eligible to cast a ballot in the precinct or for the election in 3233
which the individual cast the provisional ballot. 3234

(C) For each provisional ballot rejected under division 3235
(B) (4) of this section, the board shall record the name of the 3236
provisional voter who cast the ballot, the identification number 3237
of the provisional ballot envelope, the names of the election 3238
officials who determined the validity of that ballot, the date 3239
and time that the determination was made, and the reason that 3240
the ballot was not counted, unless the board has already 3241
recorded that information in another database. 3242

(D) (1) If an individual cast a provisional ballot in a 3243
precinct in which the individual is not registered and eligible 3244
to vote, but in the correct polling location for the precinct in 3245
which the individual is registered and eligible to vote, and the 3246
election official failed to direct the individual to the correct 3247
precinct, the individual's ballot shall be remade under division 3248
(D) (2) of this section. The election official shall be deemed to 3249
have directed the individual to the correct precinct if the 3250
election official correctly completed the form described in 3251
division (C) (2) of section 3505.181 of the Revised Code. 3252

(2) A board of elections that remakes a provisional ballot 3253
under division (D) (1) of this section shall remake the 3254
provisional ballot on a ballot for the appropriate precinct to 3255
reflect the offices, questions, and issues for which the 3256
individual was eligible to cast a ballot and for which the 3257
individual attempted to cast a provisional ballot. The remade 3258
ballot shall be counted for each office, question, and issue for 3259
which the individual was eligible to vote. 3260

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

(E) Provisional ballots that are rejected under division (B) (4) of this section shall not be counted but shall be preserved in their provisional ballot envelopes unopened until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed.

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

(G) (1) Except as otherwise provided in division (G) (2) of this section, nothing in this section shall prevent a board of elections from examining provisional ballot affirmations and

additional information under divisions (B) (1) and (2) of this 3291
section to determine the eligibility of provisional ballots to 3292
be counted during the seven days after the day of an election. 3293

(2) A board of elections shall not examine the provisional 3294
ballot affirmation and additional information under divisions 3295
(B) (1) and (2) of this section of any provisional ballot cast by 3296
an individual who must provide photo identification, complete an 3297
affidavit of religious objection, or provide additional 3298
information to the board of elections under ~~division (B) (7) or~~ 3299
~~(8) of~~ section 3505.181 or 3511.052 of the Revised Code for the 3300
board to determine the individual's eligibility until the 3301
individual does so or until the eighth day after the day of the 3302
election, whichever is earlier. 3303

Sec. 3505.20. Any person offering to vote may be 3304
challenged at the polling place by any precinct election 3305
official. If the board of elections has ruled on the question 3306
presented by a challenge prior to election day, its finding and 3307
decision shall be final, and the voting location manager shall 3308
be notified in writing. If the board has not ruled, the question 3309
shall be determined as set forth in this section. If any person 3310
is so challenged as unqualified to vote, the voting location 3311
manager shall tender the person the following oath: "You do 3312
swear or affirm under penalty of election falsification that you 3313
will fully and truly answer all of the following questions put 3314
to you concerning your qualifications as an elector at this 3315
election." 3316

(A) If the person is challenged as unqualified on the 3317
ground that the person is not a United States citizen, the 3318
precinct election officials shall put the following questions: 3319

(1) Are you a citizen of the United States? 3320

(2) ~~Are you a native or naturalized citizen?~~ 3321

~~(3) Where were you born?~~ 3322

~~(4) What official documentation do~~ Do you possess to prove 3323
proof of your United States citizenship? Please provide that 3324
documentation. 3325

If the person offering to vote ~~claims to be a naturalized-~~ 3326
~~citizen of the United States, the person shall, before the vote-~~ 3327
~~is received, produce~~ produces proof of citizenship for 3328
inspection of the precinct election officials ~~a certificate of-~~ 3329
~~naturalization,~~ other than the number of the person's Ohio 3330
driver's license or state identification card, and declare 3331
declares under oath that the person is the identical person- 3332
~~named in the certificate. If the person states under oath that,~~ 3333
~~by reason of the naturalization of the person's parents or one-~~ 3334
~~of them, the person has become a citizen of the United States,~~ 3335
~~and when or where the person's parents were naturalized, the-~~ 3336
~~certificate of naturalization need not be produced~~ the person 3337
shall be permitted to cast a regular ballot. If the person is 3338
unable to provide ~~a certificate of naturalization~~ proof of 3339
citizenship, other than the number of the person's Ohio driver's 3340
license or state identification card, on the day of the 3341
election, the precinct election officials shall provide to the 3342
person, and the person may vote, a provisional ballot under 3343
section 3505.181 of the Revised Code. The provisional ballot 3344
shall not be counted unless it is properly completed and the 3345
board of elections determines that the voter is properly 3346
registered and eligible to vote in the election. 3347

(B) If the person is challenged as unqualified on the 3348
ground that the person has not resided in this state for thirty 3349
days immediately preceding the election, the precinct election 3350

officials shall put the following questions: 3351

(1) Have you resided in this state for thirty days 3352
immediately preceding this election? If so, where have you 3353
resided? 3354

(2) Did you properly register to vote? 3355

(3) Can you provide some form of identification containing 3356
your current mailing address in this precinct? Please provide 3357
that identification. 3358

(4) Have you voted or attempted to vote at any other 3359
location in this or in any other state at this election? 3360

(5) Have you applied for an absent voter's ballot in any 3361
state for this election? 3362

If the precinct election officials are unable to verify 3363
the person's eligibility to cast a ballot in the election, the 3364
precinct election officials shall provide to the person, and the 3365
person may vote, a provisional ballot under section 3505.181 of 3366
the Revised Code. The provisional ballot shall not be counted 3367
unless it is properly completed and the board of elections 3368
determines that the voter is properly registered and eligible to 3369
vote in the election. 3370

(C) If the person is challenged as unqualified on the 3371
ground that the person is not a resident of the precinct where 3372
the person offers to vote, the precinct election officials shall 3373
put the following questions: 3374

(1) Do you reside in this precinct? 3375

(2) When did you move into this precinct? 3376

(3) When you came into this precinct, did you come for a 3377

temporary purpose merely or for the purpose of making it your 3378
home? 3379

(4) What is your current mailing address? 3380

(5) Do you have some official identification containing 3381
your current address in this precinct? Please provide that 3382
identification. 3383

(6) Have you voted or attempted to vote at any other 3384
location in this or in any other state at this election? 3385

(7) Have you applied for any absent voter's ballot in any 3386
state for this election? 3387

The precinct election officials shall direct an individual 3388
who is not in the appropriate polling place to the appropriate 3389
polling place. If the individual refuses to go to the 3390
appropriate polling place, or if the precinct election officials 3391
are unable to verify the person's eligibility to cast a ballot 3392
in the election, the precinct election officials shall provide 3393
to the person, and the person may vote, a provisional ballot 3394
under section 3505.181 of the Revised Code. The provisional 3395
ballot shall not be counted unless it is properly completed and 3396
the board of elections determines that the voter is properly 3397
registered and eligible to vote in the election. 3398

(D) If the person is challenged as unqualified on the 3399
ground that the person is not of legal voting age, the precinct 3400
election officials shall put the following questions: 3401

(1) Are you eighteen years of age or more? 3402

(2) What is your date of birth? 3403

(3) Do you have some official identification verifying 3404
your age? Please provide that identification. 3405

If the precinct election officials are unable to verify 3406
the person's age and eligibility to cast a ballot in the 3407
election, the precinct election officials shall provide to the 3408
person, and the person may vote, a provisional ballot under 3409
section 3505.181 of the Revised Code. The provisional ballot 3410
shall not be counted unless it is properly completed and the 3411
board of elections determines that the voter is properly 3412
registered and eligible to vote in the election. 3413

The voting location manager shall put such other questions 3414
to the person challenged as are necessary to determine the 3415
person's qualifications as an elector at the election. If a 3416
person challenged refuses to answer fully any question put to 3417
the person, is unable to answer the questions as they were 3418
answered on the registration form by the person under whose name 3419
the person offers to vote, or refuses to sign the person's name 3420
or make the person's mark, or if for any other reason a majority 3421
of the precinct election officials believes the person is not 3422
entitled to vote, the precinct election officials shall provide 3423
to the person, and the person may vote, a provisional ballot 3424
under section 3505.181 of the Revised Code. The provisional 3425
ballot shall not be counted unless it is properly completed and 3426
the board of elections determines that the voter is properly 3427
registered and eligible to vote in the election. 3428

A qualified citizen who has certified the citizen's 3429
intention to vote for president and vice-president as provided 3430
by Chapter 3504. of the Revised Code shall be eligible to 3431
receive only the ballot containing presidential and vice- 3432
presidential candidates. 3433

However, not later than the thirtieth day before the day 3434
of an election and in accordance with section 3503.24 of the 3435

Revised Code, any person qualified to vote may challenge the 3436
right of any other person to be registered as a voter, or the 3437
right to cast an absent voter's ballot, or to make application 3438
for such ballot. Such challenge shall be made in accordance with 3439
section 3503.24 of the Revised Code, and the board of elections 3440
of the county in which the voting residence of the challenged 3441
voter is situated shall make a final determination relative to 3442
the legality of such registration or application. 3443

Sec. 3509.02. (A) Any qualified elector may ~~vote by~~ cast 3444
absent voter's ballots by mail at an election, unless the 3445
elector is required to cast a provisional ballot under section 3446
3505.181 of the Revised Code. 3447

(B) Any qualified elector who is required to cast a 3448
provisional ballot under section 3505.181 of the Revised Code 3449
may cast a provisional ballot in person at the office of the 3450
board of elections during the time for in-person absent voting 3451
under section 3509.051 of the Revised Code. 3452

(C) ~~Any qualified elector who is unable to appear at the~~ 3453
~~office of the board of elections or, if pursuant to division (C)~~ 3454
~~of section 3501.10 of the Revised Code the board has designated~~ 3455
~~another location in the county at which registered electors may~~ 3456
~~vote, at that other location on account of personal illness,~~ 3457
~~physical disability, or infirmity, and who moves from one~~ 3458
~~precinct to another within a county, changes the elector's name~~ 3459
~~and moves from one precinct to another within a county, or moves~~ 3460
~~from one county to another county within the state, on or prior~~ 3461
~~to the day of a general, primary, or special election and has~~ 3462
~~not filed a notice of change of residence or change of name~~ who 3463
is located in the county in which the elector resides and would 3464
be eligible to cast absent voter's ballots with the assistance 3465

of two election officials under section 3509.08 of the Revised 3466
Code, but is required to cast a provisional ballot under section 3467
3505.181 of the Revised Code, may ~~vote by absent voter's ballots~~ 3468
in that election cast a provisional ballot as specified in 3469
division ~~(C)~~ (E) of section ~~3503.16~~ 3509.08 of the Revised Code. 3470

Sec. 3509.03. (A) Except as otherwise provided in sections 3471
3509.051, 3511.02, and 3511.021 of the Revised Code, any 3472
qualified elector desiring to vote absent voter's ballots at an 3473
election shall deliver a written application for those ballots, 3474
either in person or by mail, to the board of elections of the 3475
county in which the elector's voting residence is located. 3476

(B) Except as otherwise permitted under section 3511.02 of 3477
the Revised Code and under division (C) of this section, the 3478
application shall be on a form prescribed by the secretary of 3479
state and shall contain all of the following: 3480

- (1) The elector's name; 3481
- (2) The elector's signature; 3482
- (3) The address at which the elector is registered to 3483
vote; 3484
- (4) The elector's date of birth; 3485
- (5) ~~One of the following:~~ 3486

~~(a) The elector's Ohio driver's license or state~~ 3487
~~identification card number;~~ 3488

~~(b) The~~ or, if the elector does not have an Ohio driver's 3489
license or state identification card, the last four digits of 3490
the elector's social security number; 3491

~~(c) A~~ or a copy of the elector's photo identification; 3492

(6) A statement identifying the election for which absent voter's ballots are requested;	3493 3494
(7) A statement that the person requesting the ballots is a qualified elector;	3495 3496
(8) If the request is for primary election ballots, the elector's party affiliation;	3497 3498
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	3499 3500
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	3501 3502 3503 3504 3505
(D) Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application to receive 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 absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than the close of business on the seventh day before the day of the election at which the ballots are to be voted.	3506 3507 3508 3509 3510 3511 3512 3513 3514 3515
(E) Except as permitted under section 111.31 of the Revised Code, no public office, and no public official or employee who is acting in an official capacity, shall do either of the following:	3516 3517 3518 3519
(1) Prepay the return postage for an application for absent voter's ballots;	3520 3521

(2) Mail or otherwise deliver an unsolicited application 3522
for absent voter's ballots to any person. 3523

(F) (1) Except as otherwise provided in division (F) (2) of 3524
this section and in sections 3505.24 and 3509.08 of the Revised 3525
Code, no person shall preprint or fill out any portion of an 3526
application for absent voter's ballots on behalf of an 3527
applicant. 3528

(2) The secretary of state or a board of elections may 3529
preprint only an applicant's name and address on an application 3530
for absent voter's ballots before mailing that application to 3531
the applicant, except that if the applicant has a confidential 3532
voter registration record, the secretary of state or a board of 3533
elections shall not preprint the applicant's address on the 3534
application. 3535

(3) A completed application for absent voter's ballots is 3536
not valid if any portion of it has been completed by any person 3537
other than the applicant in violation of division (F) of this 3538
section. 3539

Sec. 3509.04. (A) If a board of elections receives an 3540
application for absent voter's ballots that does not contain all 3541
of the required information or is not submitted on an 3542
appropriate form, the board promptly shall notify the applicant 3543
of the additional information required to be provided by the 3544
applicant to complete that application, direct the applicant to 3545
use an appropriate form, or both, as applicable. 3546

(B) Upon receipt by the board of elections of an 3547
application for absent voter's ballots that contains all of the 3548
required information and is submitted on an appropriate form, as 3549
provided by section 3509.03 ~~and division (G) of section 3503.16~~ 3550

of the Revised Code, the board, if the board finds that the
applicant is a qualified elector, shall deliver to the applicant
in person or mail directly to the applicant by special delivery
mail, air mail, or regular mail, postage prepaid, proper absent
voter's ballots. The board shall deliver or mail with the
ballots an unsealed identification envelope upon the face of
which shall be printed a form substantially as follows:

"Identification Envelope Statement of Voter

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

My voting residence in Ohio is

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

of _____ (City, Village, or Township)

Ohio, which is in Ward _____ Precinct _____

in that city, village, or township.

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

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

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

My date of birth is _____ (Month and Day), 3579
_____ (Year). 3580

~~(Voter must provide one of the following:)~~ 3581

My Ohio driver's license or state identification card 3582
number is _____ (Driver's license or state 3583
identification card number). 3584

(If the voter does not have an Ohio driver's license or 3585
state identification card, the voter must provide one of the 3586
following:) 3587

The last four digits of my Social Security Number are 3588
_____ (Last four digits of Social Security Number). 3589

_____ In lieu of providing a driver's license or state 3590
identification card number or the last four digits of my Social 3591
Security Number, I am enclosing a copy of my photo 3592
identification in the return envelope in which this 3593
identification envelope will be mailed. 3594

I hereby declare, under penalty of election falsification, 3595
that the statements above are true, as I verily believe. 3596

_____ 3597

(Signature of Voter) 3598

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 3599
THE FIFTH DEGREE." 3600

(C) The board shall mail with the ballots and the unsealed 3601
identification envelope an unsealed return envelope upon the 3602
face of which shall be printed the post-office address of the 3603
board. In the upper left corner on the face of the return 3604
envelope, several blank lines shall be printed upon which the 3605

voter may write the voter's name and return address. The return 3606
envelope shall be of such size that the identification envelope 3607
can be conveniently placed within it for returning the 3608
identification envelope to the board. 3609

(D) No public office, and no public official or employee 3610
who is acting in an official capacity, shall prepay the return 3611
postage for any absent voter's ballots. 3612

(E) Except as otherwise provided in this section and in 3613
sections 3505.24 and 3509.08 of the Revised Code, an election 3614
official shall not fill out any portion of an identification 3615
envelope statement of voter or an absent voter's ballot on 3616
behalf of an elector. A board of elections may preprint only an 3617
elector's name and address on an identification envelope 3618
statement of voter before mailing absent voter's ballots to the 3619
elector, except that if the elector has a confidential voter 3620
registration record, as described in section 111.44 of the 3621
Revised Code, the board of elections shall not preprint the 3622
elector's address on the identification envelope statement of 3623
voter. 3624

Sec. 3509.05. (A) When an elector receives an absent 3625
voter's ballot pursuant to the elector's application or request, 3626
the elector shall, before placing any marks on the ballot, note 3627
whether there are any voting marks on it. If there are any 3628
voting marks, the ballot shall be returned immediately to the 3629
board of elections; otherwise, the elector shall cause the 3630
ballot to be marked, folded in a manner that the stub on it and 3631
the indorsements and facsimile signatures of the members of the 3632
board of elections on the back of it are visible, and placed and 3633
sealed within the identification envelope received from the 3634
board of elections for that purpose. Then, the elector shall 3635

cause the statement of voter on the outside of the 3636
identification envelope to be completed and signed, under 3637
penalty of election falsification. 3638

(B) The elector shall provide one of the following: 3639

(1) The elector's Ohio driver's license or state 3640
identification card number on the statement of voter on the 3641
identification envelope; 3642

(2) The last four digits of the elector's social security 3643
number on the statement of voter on the identification envelope; 3644

(3) A copy of the elector's photo identification in the 3645
return envelope with the identification envelope. 3646

(C) (1) The elector shall mail the identification envelope 3647
to the office of the board of elections in the return envelope, 3648
postage prepaid, or the elector or the elector's assistant may 3649
personally deliver ~~it~~ the identification envelope in the return 3650
envelope to the office of the board, ~~or the spouse of the~~ 3651
~~elector, the father, mother, father-in-law, mother-in-law,~~ 3652
~~grandfather, grandmother, brother, or sister of the whole or~~ 3653
~~half blood, or the son, daughter, adopting parent, adopted~~ 3654
~~child, stepparent, stepchild, uncle, aunt, nephew, or niece of~~ 3655
~~the elector may deliver it to the office of the board in~~ 3656
accordance with division (D) of this section. The return 3657
envelope shall be returned by no other person, in no other 3658
manner, and to no other location, except as otherwise provided 3659
in section 3509.08 of the Revised Code. 3660

(2) If the board maintains multiple offices in the county, 3661
as permitted under division (C) of section 3501.10 of the 3662
Revised Code, the board may designate any of its offices for the 3663
return of absent voter's ballots under this section, provided 3664

that the board shall designate only one office to which absent voter's ballots shall be returned under this section. 3665
3666

~~(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.~~ 3667
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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.~~ 3671
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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:~~ 3677
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~~(i) Make the video recordings available for inspection upon request in accordance with section 149.43 of the Revised Code.~~ 3680
3681
3682

~~(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.~~ 3683
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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,~~ 3688
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~~there are persons waiting in line to deposit absent voter's
ballots in a receptacle, those persons shall be permitted to
deposit the ballots.~~ 3694
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3696

~~(4) (a) During the period beginning on the forty-fifth day
before election day and ending on the day after election day, on
each day the office of the board of elections is open for
business, the board shall report to the secretary of state all
of the following information concerning the previous business
day:~~ 3697
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3699
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3701
3702

~~(i) The number of return envelopes purporting to contain
absent voter's ballots or uniformed services or overseas absent
voter's ballots the board received by personal delivery, other
than to a receptacle described in division (C) (3) of this
section;~~ 3703
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3707

~~(ii) If the board has placed a secure receptacle outside
the office of the board under division (C) (3) of this section,
the number of return envelopes purporting to contain absent
voter's ballots or uniformed services or overseas absent voter's
ballots the board received in the receptacle.~~ 3708
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3711
3712

~~(b) As soon as practicable after receiving a report under
division (C) (4) (a) of this section, the secretary of state shall
make the information in the report available to the public on
the secretary of state's official web site.~~ 3713
3714
3715
3716

~~(D) (1) Except as otherwise provided in division (D) (2) of
this section, all An elector may personally deliver the
elector's marked absent voter's ballots to the office of the
board by hand-delivering the ballots to the election officials
at the office of the board or at a designated location on, or
adjacent to, the property on which the office of the board is~~ 3717
3718
3719
3720
3721
3722

located. 3723

(2) An elector's assistant may personally deliver the 3724
elector's marked absent voter's ballots to the office of the 3725
board by hand-delivering the ballots to the election officials 3726
at the office of the board or at a designated location on, or 3727
adjacent to, the property on which the office of the board is 3728
located. Except as otherwise permitted under division (D) (3) of 3729
this section, the assistant shall be the elector's spouse, 3730
father, mother, father-in-law, mother-in-law, grandfather, 3731
grandmother, brother or sister of the whole or half blood, son, 3732
daughter, adopting parent, adopted child, stepparent, stepchild, 3733
uncle, aunt, nephew, or niece. The assistant shall complete a 3734
delivery attestation, which the election officials shall attach 3735
to the ballot return envelope. The attestation shall be made 3736
under penalty of election falsification, on a form prescribed by 3737
the secretary of state, and shall include all of the following: 3738

(a) The assistant's name; 3739

(b) The elector's name; 3740

(c) An affirmation that the assistant is delivering the 3741
elector's ballots at the elector's request; 3742

(d) An affirmation that the assistant is the elector's 3743
spouse, father, mother, father-in-law, mother-in-law, 3744
grandfather, grandmother, brother or sister of the whole or half 3745
blood, son, daughter, adopting parent, adopted child, 3746
stepparent, stepchild, uncle, aunt, nephew, or niece; 3747

(e) The assistant's signature; 3748

(f) The date the assistant delivers the ballots. 3749

(3) If an elector requires assistance to vote by reason of 3750

a disability, the elector's assistant instead may be any person 3751
of the elector's choice, other than the elector's employer, an 3752
agent of the elector's employer, or an officer or agent of the 3753
elector's union. If an elector's assistant described in this 3754
division delivers the elector's ballots, the assistant shall 3755
complete a delivery attestation under this division instead of 3756
division (D) (2) of this section, and the election officials 3757
shall attach the attestation to the ballot return envelope. The 3758
attestation shall be made under penalty of election 3759
falsification, on a form prescribed by the secretary of state, 3760
and shall include all of the following: 3761

(a) The assistant's name; 3762

(b) The elector's name; 3763

(c) An affirmation that the assistant is delivering the 3764
elector's ballots at the elector's request; 3765

(d) An affirmation that the elector requires assistance to 3766
vote by reason of a disability; 3767

(e) An affirmation that the assistant is not the elector's 3768
employer, an agent of the elector's employer, or an officer or 3769
agent of the elector's union; 3770

(f) The assistant's signature; 3771

(g) The date the assistant delivers the ballots. 3772

(4) The election officials shall not accept any marked 3773
absent voter's ballots that are returned to the board by 3774
personal delivery, except as permitted under divisions (D) (1) to 3775
(3) of this section. The board shall not accept absent voter's 3776
ballots returned by personal delivery to an unattended 3777
receptacle. 3778

(E) Except as otherwise provided in section 3511.11 of the 3779
Revised Code, all envelopes containing marked absent voter's 3780
ballots shall be delivered to the office of the board not later 3781
than the close of the polls on the day of an election. Absent 3782
voter's ballots delivered to the office of the board later than 3783
the times specified shall not be counted, but shall be kept by 3784
the board in the sealed identification envelopes in which they 3785
are delivered, until the time provided by section 3505.31 of the 3786
Revised Code for the destruction of all other ballots used at 3787
the election for which ballots were provided, at which time they 3788
shall be destroyed. 3789

~~(2)(a) Except as otherwise provided in division (D) (2) (b)~~ 3790
~~of this section, any return envelope that is postmarked prior to~~ 3791
~~the day of the election shall be delivered to the director prior~~ 3792
~~to the fifth day after the election. Ballots delivered in~~ 3793
~~envelopes postmarked prior to the day of the election that are~~ 3794
~~received after the close of the polls on election day through~~ 3795
~~the fourth day thereafter shall be counted on the fifth day at~~ 3796
~~the board of elections in the manner provided in divisions (C)~~ 3797
~~and (D) of section 3509.06 of the Revised Code or in the manner~~ 3798
~~provided in division (E) of that section, as applicable. Any~~ 3799
~~such ballots that are received by the director later than the~~ 3800
~~fourth day following the election shall not be counted, but~~ 3801
~~shall be kept by the board in the sealed identification~~ 3802
~~envelopes as provided in division (A) of this section.~~ 3803

~~(b) Division (D) (2) (a) of this section shall not apply to~~ 3804
~~any mail that is postmarked using a postage evidencing system,~~ 3805
~~including a postage meter, as defined in 39 C.F.R. 501.1.~~ 3806

Sec. 3509.051. An elector may appear at the office of the 3807
board of elections to cast absent voter's ballots in person 3808

instead of applying for those ballots under section 3509.03 of 3809
the Revised Code. Notwithstanding section 3509.05 or any other 3810
provision of the Revised Code to the contrary, all of the 3811
following shall apply to the casting of absent voter's ballots 3812
in person: 3813

(A) (1) Except as otherwise provided in division (A) (2) of 3814
this section, in-person absent voting shall be permitted only 3815
during the period beginning on the first day after the close of 3816
voter registration before the election and ending at five p.m. 3817
on the Sunday before the day of the election. 3818

(2) If, at the time for the close of in-person absent 3819
voting on a particular day, there are voters waiting in line to 3820
cast their ballots, the in-person absent voting location shall 3821
be kept open until such waiting voters have cast their absent 3822
voter's ballots. 3823

(B) An in-person absent voter shall provide photo 3824
identification to the election officials, sign a poll list or 3825
signature pollbook, and cast a ballot in the same manner as a 3826
voter who casts a ballot in person on the day of an election 3827
under section 3505.18 of the Revised Code. 3828

The absent voter shall not be required to complete a 3829
written application for absent voter's ballots or a statement of 3830
voter on an absent voter's ballot identification envelope. 3831

(C) No person other than an election official shall be 3832
permitted to challenge the right to vote of an absent voter who 3833
is casting a ballot in person. An election official may 3834
challenge the right to vote of an absent voter who is casting a 3835
ballot in person in the same manner as a precinct election 3836
official may challenge the right to vote of an elector on the 3837

day of an election under section 3505.20 or 3513.19 of the Revised Code. 3838
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(D) An individual who appears to cast absent voter's ballots in person and is eligible to cast a provisional ballot under section 3505.181 of the Revised Code shall be permitted to do so as though the individual had appeared at a polling place on the day of the election. 3840
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(E) No absent voter may receive a replacement ballot after the voter's absent voter's ballot has been scanned or entered into automatic tabulating equipment. 3845
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(F) Ballots cast under this section, other than provisional ballots, may be recorded by a voting machine or scanned by automatic tabulating equipment before the close of the polls on the day of the election, but the board of elections shall not tabulate or count the votes on those ballots before that time. Special election officials, employees or members of the board of elections, or observers shall not disclose the count or any portion of the count of absent voter's ballots prior to the time of the closing of the polling places. No person shall recklessly disclose the count or any portion of the count of absent voter's ballots in such a manner as to jeopardize the secrecy of any individual ballot. 3848
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Sec. 3509.06. (A) The board of elections shall determine whether absent voter's ballots cast under section ~~3503.16,~~ 3509.05, 3509.08, or 3511.09 of the Revised Code shall be processed and counted in each precinct, at the office of the board, or at some other location designated by the board, and shall proceed accordingly under division (B), (C), or (E) of this section, as applicable. This section does not apply to absent voter's ballots cast in person under section 3509.051 or 3860
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to provisional ballots cast under section 3509.051 or 3509.08 of 3868
the Revised Code. 3869

(B) (1) Except as otherwise provided in division (B) (2) of 3870
this section, when the board of elections determines that those 3871
absent voter's ballots shall be processed and counted in each 3872
precinct, the board shall deliver to the voting location manager 3873
of each precinct on election day identification envelopes 3874
purporting to contain absent voter's ballots of electors whose 3875
voting residence appears from the statement of voter on the 3876
outside of each of those envelopes, to be located in that 3877
manager's precinct, and which were received by the board not 3878
later than the close of the polls on election day. The board 3879
shall deliver to the voting location manager a list containing 3880
the name and voting residence of each person whose voting 3881
residence is in such precinct to whom absent voter's ballots 3882
were mailed. 3883

(2) The board shall not deliver to the voting location 3884
manager identification envelopes cast by electors who provided a 3885
program participant identification number instead of a residence 3886
address on the identification envelope and shall not inform the 3887
voting location manager of the names and voting residences of 3888
persons who have confidential voter registration records. Those 3889
identification envelopes shall be examined and processed as 3890
described in division (E) of this section. 3891

(C) When the board of elections determines that those 3892
absent voter's ballots shall be processed and counted at the 3893
office of the board of elections or at another location 3894
designated by the board, special election officials shall be 3895
appointed by the board for that purpose having the same 3896
authority as is exercised by precinct election officials. The 3897

votes so cast shall be added to the vote totals by the board, 3898
and the absent voter's ballots shall be preserved separately by 3899
the board, in the same manner and for the same length of time as 3900
provided by section 3505.31 of the Revised Code. 3901

(D) Each of the identification envelopes purporting to 3902
contain absent voter's ballots delivered to the voting location 3903
manager of the precinct or the special election official 3904
appointed by the board of elections shall be handled as follows: 3905

(1) The election officials shall compare the signature of 3906
the elector on the outside of the identification envelope with 3907
the signature of that elector on the elector's registration form 3908
and verify that the absent voter's ballot is eligible to be 3909
counted under section 3509.07 of the Revised Code. 3910

(2) (a) Any of the precinct officials may challenge the 3911
right of the elector named on the identification envelope to 3912
vote the absent voter's ballots upon the ground that the 3913
signature on the envelope is not the same as the signature on 3914
the registration form, that the identification envelope 3915
statement of voter is incomplete, or upon any other of the 3916
grounds upon which the right of persons to vote may be lawfully 3917
challenged. 3918

(b) If the elector's name does not appear in the pollbook 3919
or poll list or signature pollbook, the precinct officials shall 3920
deliver the absent voter's ballots to the director of the board 3921
of elections to be examined and processed in the manner 3922
described in division (E) of this section. 3923

(3) (a) An identification envelope statement of voter shall 3924
be considered incomplete if it does not include all of the 3925
following: 3926

(i) The voter's name;	3927
(ii) The voter's residence address or, if the voter has a confidential voter registration record, as described in section 111.44 of the Revised Code, the voter's program participant identification number;	3928 3929 3930 3931
(iii) The voter's date of birth. The requirements of this division are satisfied if the voter provided a date of birth and any of the following is true:	3932 3933 3934
(I) The month and day of the voter's date of birth on the identification envelope statement of voter are not different from the month and day of the voter's date of birth contained in the statewide voter registration database.	3935 3936 3937 3938
(II) The voter's date of birth contained in the statewide voter registration database is January 1, 1800.	3939 3940
(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.	3941 3942 3943 3944
(iv) The voter's signature; and	3945
(v) One of the following forms of identification:	3946
(I) The voter's Ohio driver's license or state identification card number;	3947 3948
(II) The last four digits of the voter's social security number; or	3949 3950
(III) A copy of the voter's photo identification.	3951
(b) If the election officials find that the identification envelope statement of voter is incomplete or that the	3952 3953

information contained in that statement does not conform to the 3954
information contained in the statewide voter registration 3955
database concerning the voter, the election officials shall mail 3956
a written notice to the voter, informing the voter of the nature 3957
of the defect. The notice shall inform the voter that in order 3958
for the voter's ballot to be counted, the voter must provide the 3959
necessary information to the board of elections in writing and 3960
on a form prescribed by the secretary of state not later than 3961
the fourth day after the day of the election. The voter may 3962
deliver the form to the office of the board in person or by 3963
mail. If the voter provides the necessary information to the 3964
board of elections not later than the fourth day after the day 3965
of the election and the ballot is not successfully challenged on 3966
another basis, the voter's ballot shall be processed and counted 3967
in accordance with this section. 3968

(4) If no such challenge is made, or if such a challenge 3969
is made and not sustained, the voting location manager shall 3970
open the envelope without defacing the statement of voter and 3971
without mutilating the ballots in it, and shall remove the 3972
ballots contained in it and proceed to count them. 3973

(5) (a) Except as otherwise provided in division (D) (5) (b) 3974
of this section, the name of each person voting who is entitled 3975
to vote only an absent voter's presidential ballot shall be 3976
entered in a pollbook or poll list or signature pollbook 3977
followed by the words "Absentee Presidential Ballot." The name 3978
of each person voting an absent voter's ballot, other than such 3979
persons entitled to vote only a presidential ballot, shall be 3980
entered in the pollbook or poll list or signature pollbook and 3981
the person's registration card marked to indicate that the 3982
person has voted. 3983

(b) If the person voting has a confidential voter 3984
registration record, the person's registration card shall be 3985
marked to indicate that the person has voted, but the person's 3986
name shall not be entered in the pollbook or poll list or 3987
signature pollbook. 3988

(6) The date of such election shall also be entered on the 3989
elector's registration form. If any such challenge is made and 3990
sustained, the identification envelope of such elector shall not 3991
be opened, shall be endorsed "Not Counted" with the reasons the 3992
ballots were not counted, and shall be delivered to the board. 3993

(E) (1) When the board of elections receives absent voter's 3994
ballots from an elector who has provided a program participant 3995
identification number instead of a residence address on the 3996
identification envelope statement of voter, the director and the 3997
deputy director personally shall examine and process the 3998
identification envelope statement of voter in the manner 3999
prescribed in division (D) of this section. 4000

(2) If the director and the deputy director find that the 4001
identification envelope statement of voter is incomplete or that 4002
the information contained in that statement does not conform to 4003
the information contained in the statewide voter registration 4004
database concerning the voter or to the information contained in 4005
the voter's confidential voter registration record, the director 4006
and the deputy director shall mail a written notice to the voter 4007
informing the voter of the nature of the defect. The notice 4008
shall inform the voter that in order for the voter's ballot to 4009
be counted the voter must provide the necessary information to 4010
the board of elections in writing and on a form prescribed by 4011
the secretary of state not later than the fourth day after the 4012
day of the election. The voter may deliver the form to the 4013

office of the board in person or by mail. If the voter provides 4014
the necessary information to the board of elections not later 4015
than the fourth day after the day of the election and the ballot 4016
is not successfully challenged on another basis, the voter's 4017
ballot shall be counted in accordance with this section. 4018

(3) The director or the deputy director may challenge the 4019
ballot on the ground that the signature on the envelope is not 4020
the same as the signature on the registration form, that the 4021
identification envelope statement of voter is incomplete, or 4022
upon any other of the grounds upon which the right of persons to 4023
vote may be lawfully challenged. If such a challenge is made, 4024
the board of elections shall decide whether to sustain the 4025
challenge. 4026

(4) If neither the director nor the deputy director 4027
challenges the ballot, or if such a challenge is made and not 4028
sustained, the director and the deputy director shall open the 4029
envelope without defacing the statement of voter and without 4030
mutilating the ballots in it, shall remove the ballots contained 4031
in it, and shall transmit the ballots to the election officials 4032
to be counted with other absent voter's ballots from that 4033
precinct. 4034

(F) The board of elections shall process absent voter's 4035
ballots before the time for counting those ballots, but the 4036
board shall not tabulate or count the votes on those ballots 4037
before that time. As used in this section and section 3511.11 of 4038
the Revised Code, processing an absent voter's ballot means all 4039
of the following: 4040

(1) Examining the identification envelope statement of 4041
voter in order to verify that the absent voter's ballot is 4042
eligible to be counted under section 3509.07 of the Revised 4043

Code; 4044

(2) Opening the identification envelope, if the absent voter's ballot is eligible to be counted; 4045
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(3) Determining the validity of the absent voter's ballot under section 3509.07 of the Revised Code; 4047
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(4) Preparing and sorting the absent voter's ballot for scanning by automatic tabulating equipment; 4049
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(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. 4051
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(G) Special election officials, employees or members of the board of elections, or observers shall not disclose the count or any portion of the count of absent voter's ballots prior to the time of the closing of the polling places. No person shall recklessly disclose the count or any portion of the count of absent voter's ballots in such a manner as to jeopardize the secrecy of any individual ballot. 4055
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(H) (1) Except as otherwise provided in division (H) (2) of this section, observers may be appointed under section 3505.21 of the Revised Code to witness the examination and opening of identification envelopes and the processing and counting of absent voters' ballots under this section. 4062
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(2) Observers shall not be permitted to witness the examination and opening of identification envelopes returned by, and the processing and counting of absent voter's ballots cast by, electors who have confidential voter registration records in a manner that would permit the observers to learn the identities or residence addresses of those electors. 4067
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Sec. 3509.07. (A) If election officials find that any of 4073
the following are true concerning an absent voter's ballot or 4074
absent voter's presidential ballot cast under section ~~3503.16,~~ 4075
3509.05, 3509.08, or 3511.09 of the Revised Code and, if 4076
applicable, the person did not provide any required additional 4077
information to the board of elections not later than the fourth 4078
day after the day of the election, as permitted under division 4079
(D) (3) (b) or (E) (2) of section 3509.06 of the Revised Code, the 4080
ballot shall not be accepted or counted: 4081

~~(A)~~ (1) The statement accompanying the ballot is 4082
incomplete as described in division (D) (3) (a) of section 3509.06 4083
of the Revised Code or is insufficient; 4084

~~(B)~~ (2) The signatures do not correspond with the person's 4085
registration signature; 4086

~~(C)~~ (3) The applicant is not a qualified elector in the 4087
precinct; 4088

~~(D)~~ (4) The ballot envelope contains more than one ballot 4089
of any one kind, or any voted ballot that the elector is not 4090
entitled to vote; 4091

~~(E)~~ (5) Stub A is detached from the absent voter's ballot 4092
or absent voter's presidential ballot; or 4093

~~(F)~~ (6) The elector has not included with the elector's 4094
ballot any identification required under section 3509.05 or 4095
3511.09 of the Revised Code. 4096

(B) The vote of any absent voter may be challenged for 4097
cause in the same manner as other votes are challenged, and the 4098
election officials shall determine the legality of that ballot. 4099
Every ballot not counted shall be endorsed on its back "Not 4100
Counted" with the reasons the ballot was not counted, and shall 4101

be enclosed and returned to or retained by the board of 4102
elections along with the contested ballots. 4103

(C) This section does not apply to either of the 4104
following: 4105

(1) Absent voter's ballots cast in person under section 4106
3509.051 of the Revised Code. Any challenge to the right of an 4107
elector to cast absent voter's ballots in person shall be 4108
brought under division (C) of that section. 4109

(2) Provisional ballots cast under section 3509.051, 4110
3509.08, or 3511.052 of the Revised Code, which shall be 4111
processed and counted under section 3505.183 of the Revised 4112
Code. 4113

Sec. 3509.08. (A) Any qualified elector, who, on account 4114
of the elector's own personal illness, physical disability, or 4115
infirmity, or on account of the elector's confinement in a jail 4116
or workhouse under sentence for a misdemeanor or awaiting trial 4117
on a felony or misdemeanor, will be unable to travel from the 4118
elector's home or place of confinement to the voting booth in 4119
the elector's precinct on the day of any general, special, or 4120
primary election may make application in writing for an absent 4121
voter's ballot to the board of elections of the elector's county 4122
in the manner described in section 3509.03 of the Revised Code. 4123
The application shall state the nature of the elector's illness, 4124
physical disability, or infirmity, or the fact that the elector 4125
is confined in a jail or workhouse and the elector's resultant 4126
inability to travel to the election booth in the elector's 4127
precinct on election day. 4128

The absent voter's ballot may be mailed directly to the 4129
applicant at the applicant's voting residence or place of 4130

confinement as stated in the applicant's application, or the 4131
board may designate two board employees belonging to the two 4132
major political parties for the purpose of delivering the ballot 4133
to the disabled or confined elector and returning it to the 4134
board, unless the applicant is confined to a public or private 4135
institution within the county, in which case the board shall 4136
designate two board employees belonging to the two major 4137
political parties for the purpose of delivering the ballot to 4138
the disabled or confined elector and returning it to the board. 4139
In all other instances, the ballot shall be returned to the 4140
office of the board in the manner prescribed in section 3509.05 4141
of the Revised Code. 4142

Any disabled or confined elector who declares to the two 4143
board employees belonging to the two major political parties 4144
that the elector is unable to mark the elector's ballot by 4145
reason of physical infirmity that is apparent to the employees 4146
to be sufficient to incapacitate the voter from marking the 4147
elector's ballot properly, may receive, upon request, the 4148
assistance of the employees in marking the elector's ballot, and 4149
they shall thereafter give no information in regard to this 4150
matter. Such assistance shall not be rendered for any other 4151
cause. 4152

When two board employees belonging to the two major 4153
political parties deliver a ballot to a disabled or confined 4154
elector, each of the employees shall be present when the ballot 4155
is delivered, when assistance is given, and when the ballot is 4156
returned to the office of the board, and shall subscribe to the 4157
declaration on the identification envelope. 4158

The secretary of state shall prescribe the form of 4159
application for absent voter's ballots under this division. 4160

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

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

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

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

~~(2)~~ (2) (a) The application authorized under division (B) (1) of this section shall be made in writing in the manner described in section 3509.03 of the Revised Code, except that the application shall be delivered to the office of the board not later than three p.m. on the day of the election. The application shall indicate the hospital where the applicant or the applicant's child is confined, the date of the applicant's or the applicant's child's admission to the hospital, and the offices for which the applicant is qualified to vote. ~~The~~

(b) The applicant may also request that a member of the applicant's family, as listed an assistant described in division (D) (2) or (3) of section 3509.05 of the Revised Code, as applicable, deliver the absent voter's ballot to the applicant.

(c) The board, after establishing to the board's satisfaction the validity of the circumstances claimed by the

applicant, shall supply an absent voter's ballot to be delivered 4190
to the applicant. ~~When~~ 4191

(d) When the applicant or the applicant's child is in a 4192
hospital in the county where the applicant is a qualified 4193
elector and no request is made for ~~a member of the family~~ an 4194
assistant to deliver the ballot, the board shall arrange for the 4195
delivery of an absent voter's ballot to the applicant, and for 4196
its return to the office of the board, by two board employees 4197
belonging to the two major political parties according to the 4198
procedures prescribed in division (A) of this section. When the 4199
applicant or the applicant's child is in a hospital outside the 4200
county where the applicant is a qualified elector and no request 4201
is made for ~~a member of the family~~ an assistant to deliver the 4202
ballot, the board shall arrange for the delivery of an absent 4203
voter's ballot to the applicant by mail, and the ballot shall be 4204
returned to the office of the board in the manner prescribed in 4205
section 3509.05 of the Revised Code. 4206

~~(3) Any qualified elector who is eligible to vote under~~ 4207
~~division (B) or (C) of section 3503.16 of the Revised Code but~~ 4208
~~is unable to do so because of the circumstances described in~~ 4209
~~division (B) (2) of this section may vote in accordance with~~ 4210
~~division (B) (1) of this section if that qualified elector states~~ 4211
~~in the application for absent voter's ballots that that~~ 4212
~~qualified elector moved or had a change of name under the~~ 4213
~~circumstances described in division (B) or (C) of section~~ 4214
~~3503.16 of the Revised Code and if that qualified elector~~ 4215
~~complies with divisions (G) (1) to (4) of section 3503.16 of the~~ 4216
~~Revised Code.~~ 4217

(C) Any Except as otherwise provided in division (E) of 4218
this section, any qualified elector described in division (A) or 4219

(B) (1) of this section who needs no assistance to vote or to 4220
return absent voter's ballots to the board of elections may 4221
apply for absent voter's ballots under section 3509.03 of the 4222
Revised Code instead of applying for them under this section or 4223
may cast absent voter's ballots in person under section 3509.051 4224
of the Revised Code. 4225

(D) Any qualified elector described in division (A) or (B) 4226
(1) of this section to whom ballots are delivered by two 4227
employees of the board of elections or who votes with the 4228
assistance of two employees of the board of elections shall be 4229
considered to have cast absent voter's ballots by mail, rather 4230
than in person, for the purpose of the laws governing voter 4231
identification. A board employee who delivers ballots to an 4232
elector or returns ballots to the office of the board under this 4233
section is not considered the elector's assistant for that 4234
purpose. 4235

(E) A qualified elector who is located in the county in 4236
which the elector resides and who would be eligible to cast 4237
absent voter's ballots with the assistance of two election 4238
officials under this section, but who is required to cast a 4239
provisional ballot under section 3505.181 of the Revised Code, 4240
may cast a provisional ballot with the assistance of two 4241
election officials under this section as though the individual 4242
had appeared at a polling place on the day of the election. 4243

Sec. 3509.09. (A) The poll list or signature pollbook for 4244
each precinct shall identify each registered elector in that 4245
precinct who has requested an absent voter's ballot for that 4246
election or cast absent voter's ballots in person under section 4247
3509.051 of the Revised Code, other than an elector who has a 4248
confidential voter registration record, as described in section 4249

111.44 of the Revised Code. 4250

(B) If a registered elector appears to vote and that 4251
elector has requested or cast an absent voter's ballot for that 4252
election, the elector shall be permitted to cast a provisional 4253
ballot under section 3505.181 of the Revised Code. 4254

(C) (1) In counting absent voter's ballots under section 4255
3509.06 of the Revised Code, the board of elections shall 4256
compare the signature of each elector from whom the board has 4257
received a sealed identification envelope purporting to contain 4258
that elector's voted absent voter's ballots for that election to 4259
the signature on that elector's registration form. Except as 4260
otherwise provided in division (C) (3) of this section, if the 4261
board of elections determines that the absent voter's ballot in 4262
the sealed identification envelope is valid, it shall be 4263
counted. If the board of elections determines that the signature 4264
on the sealed identification envelope purporting to contain the 4265
elector's voted absent voter's ballot does not match the 4266
signature on the elector's registration form, the ballot shall 4267
be set aside and the board shall examine, during the time prior 4268
to the beginning of the official canvass, the poll list or 4269
signature pollbook from the precinct in which the elector is 4270
registered to vote to determine if the elector also cast a 4271
provisional ballot under section 3505.181 of the Revised Code. 4272

(2) The board of elections shall count the provisional 4273
ballot, instead of the absent voter's ballot, if both of the 4274
following apply: 4275

(a) The board of elections determines that the signature 4276
of the elector on the outside of the identification envelope in 4277
which the absent voter's ballots are enclosed does not match the 4278
signature of the elector on the elector's registration form; 4279

(b) The elector cast a provisional ballot in the election. 4280

(3) If the board of elections does not receive the sealed 4281
identification envelope purporting to contain the elector's 4282
voted absent voter's ballot by the applicable deadline 4283
established under section 3509.05 of the Revised Code, the 4284
provisional ballot cast under section 3505.181 of the Revised 4285
Code shall be counted as valid, if that provisional ballot is 4286
otherwise determined to be valid pursuant to section 3505.183 of 4287
the Revised Code. 4288

(D) If the board of elections counts a provisional ballot 4289
under division (C) (2) or (3) of this section, the returned 4290
identification envelope of that elector shall not be opened, and 4291
the ballot within that envelope shall not be counted. The 4292
identification envelope shall be endorsed "Not Counted" with the 4293
reason the ballot was not counted. 4294

(E) Division (C) of this section does not apply to absent 4295
voter's ballots cast in person under section 3509.051 of the 4296
Revised Code. If an elector casts absent voter's ballots in 4297
person and casts a provisional ballot for the same election, the 4298
provisional ballot shall not be counted. 4299

Sec. 3511.02. (A) Notwithstanding any section of the 4300
Revised Code to the contrary, whenever any person applies for 4301
registration as a voter on a form adopted in accordance with 4302
federal regulations relating to the "Uniformed and Overseas 4303
Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, 4304
this application shall be sufficient for voter registration and 4305
as a request for an absent voter's ballot. Uniformed services or 4306
overseas absent voter's ballots may be obtained by any person 4307
meeting the requirements of section 3511.011 of the Revised Code 4308
by applying electronically to the secretary of state or to the 4309

board of elections of the county in which the person's voting 4310
residence is located in accordance with section 3511.021 of the 4311
Revised Code or by applying to the board of elections of the 4312
county in which the person's voting residence is located, in one 4313
of the following ways: 4314

(1) That person may make written application for those 4315
ballots. The person may personally deliver the application to 4316
the office of the board or may mail it, send it by facsimile 4317
machine, send it by electronic mail, send it through internet 4318
delivery if such delivery is offered by the board of elections 4319
or the secretary of state, or otherwise send it to the board. 4320
Except as otherwise provided in division (B) of this section, 4321
the application shall be on a form prescribed by the secretary 4322
of state and shall contain all of the following information: 4323

(a) The elector's name; 4324
(b) The elector's signature; 4325
(c) The address at which the elector is registered to 4326
vote; 4327

(d) The elector's date of birth; 4328

(e) ~~One of the following:~~ 4329

~~(i) The elector's Ohio driver's license or state 4330
identification card number;~~ 4331

~~(ii) The or, if the elector does not have an Ohio driver's 4332
license or state identification card, the last four digits of 4333
the elector's social security number;~~ 4334

~~(iii) A or a copy of the elector's photo identification;~~ 4335

(f) A statement identifying the election for which absent 4336

voter's ballots are requested; 4337

(g) A statement that the person requesting the ballots is 4338
a qualified elector; 4339

(h) A statement that the elector is an absent uniformed 4340
services voter or overseas voter as defined in 52 U.S.C. 20310; 4341

(i) A statement of the elector's length of residence in 4342
the state immediately preceding the commencement of service, 4343
immediately preceding the date of leaving to be with or near the 4344
service member, or immediately preceding leaving the United 4345
States, or a statement that the elector's parent or legal 4346
guardian resided in this state long enough to establish 4347
residency for voting purposes immediately preceding leaving the 4348
United States, whichever is applicable; 4349

(j) If the request is for primary election ballots, the 4350
elector's party affiliation; 4351

(k) If the elector desires ballots to be mailed to the 4352
elector, the address to which those ballots shall be mailed; 4353

(l) If the elector desires ballots to be sent to the 4354
elector by facsimile machine, the telephone number to which they 4355
shall be so sent; 4356

(m) If the elector desires ballots to be sent to the 4357
elector by electronic mail or, if offered by the board of 4358
elections or the secretary of state, through internet delivery, 4359
the elector's electronic mail address or other internet contact 4360
information. 4361

(2) A voter or any relative of a voter listed in division 4362
(A) (3) of this section may use a single federal post card 4363
application to apply for uniformed services or overseas absent 4364

voter's ballots for use at the primary and general elections in 4365
a given year and any special election to be held on the day in 4366
that year specified by division (E) of section 3501.01 of the 4367
Revised Code for the holding of a primary election, designated 4368
by the general assembly for the purpose of submitting 4369
constitutional amendments proposed by the general assembly to 4370
the voters of the state. A single federal postcard application 4371
shall be processed by the board of elections pursuant to section 4372
3511.04 of the Revised Code the same as if the voter had applied 4373
separately for uniformed services or overseas absent voter's 4374
ballots for each election. 4375

(3) Application to have uniformed services or overseas 4376
absent voter's ballots mailed or sent by facsimile machine to 4377
such a person may be made by the spouse, father, mother, father- 4378
in-law, mother-in-law, grandfather, grandmother, brother or 4379
sister of the whole blood or half blood, son, daughter, adopting 4380
parent, adopted child, stepparent, stepchild, daughter-in-law, 4381
son-in-law, uncle, aunt, nephew, or niece of such a person. The 4382
application shall be in writing upon a blank form furnished only 4383
by the board or on a single federal post card as provided in 4384
division (A) (2) of this section. The form of the application 4385
shall be prescribed by the secretary of state. The board shall 4386
furnish that blank form to any of the relatives specified in 4387
this division desiring to make the application, only upon the 4388
request of such a relative made in person at the office of the 4389
board or upon the written request of such a relative mailed to 4390
the office of the board. Except as otherwise provided in 4391
division (B) of this section, the application, subscribed and 4392
sworn to by the applicant, shall contain all of the following: 4393

(a) The full name of the elector for whom ballots are 4394
requested; 4395

(b) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 52 U.S.C. 20310;	4396 4397
(c) The address at which the elector is registered to vote;	4398 4399
(d) A statement identifying 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 a 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, as the case may be;	4400 4401 4402 4403 4404 4405 4406 4407
(e) The elector's date of birth;	4408
(f) One of the following:	4409
(i) The elector's Ohio driver's license or state identification card number;	4410 4411
(ii) <u>The or, if the elector does not have an Ohio driver's license or state identification card, the last four digits of the elector's social security number;</u>	4412 4413 4414
(iii) <u>A or a copy of the elector's photo identification;</u>	4415
(g) A statement identifying the election for which absent voter's ballots are requested;	4416 4417
(h) A statement that the person requesting the ballots is a qualified elector;	4418 4419
(i) If the request is for primary election ballots, the elector's party affiliation;	4420 4421
(j) A statement that the applicant bears a relationship to	4422

the elector as specified in division (A) (3) of this section; 4423

(k) The address to which ballots shall be mailed, the 4424
telephone number to which ballots shall be sent by facsimile 4425
machine, the electronic mail address to which ballots shall be 4426
sent by electronic mail, or, if internet delivery is offered by 4427
the board of elections or the secretary of state, the internet 4428
contact information to which ballots shall be sent through 4429
internet delivery; 4430

(l) The signature and address of the person making the 4431
application. 4432

(B) If the elector has a confidential voter registration 4433
record, as described in section 111.44 of the Revised Code, the 4434
application may include the elector's program participant 4435
identification number instead of the address at which the 4436
elector is registered to vote. 4437

(C) Each application for uniformed services or overseas 4438
absent voter's ballots shall be delivered to the office of the 4439
board not earlier than the first day of January of the year of 4440
the elections for which the uniformed services or overseas 4441
absent voter's ballots are requested or not earlier than ninety 4442
days before the day of the election at which the ballots are to 4443
be voted, whichever is earlier. An application to receive 4444
uniformed services or overseas absent voter's ballots by mail or 4445
by another method permitted under section 3511.021 of the 4446
Revised Code shall be delivered to the office of the board not 4447
later than the close of business on the seventh day preceding 4448
the day of the election. 4449

(D) If the voter for whom the application is made is 4450
entitled to vote for presidential and vice-presidential electors 4451

only, the applicant shall submit to the board, in addition to 4452
the requirements of division (A) of this section, a statement to 4453
the effect that the voter is qualified to vote for presidential 4454
and vice-presidential electors and for no other offices. 4455

(E) Except as permitted under section 111.31 of the 4456
Revised Code, no public office, and no public official or 4457
employee who is acting in an official capacity, shall do either 4458
of the following: 4459

(1) Prepay the return postage for an application for 4460
absent voter's ballots; 4461

(2) Mail or otherwise deliver an unsolicited application 4462
for absent voter's ballots to any person. 4463

(F) (1) Except as otherwise provided in divisions (A) (2) 4464
and (3) and (F) (2) of this section and in sections 3505.24 and 4465
3509.08 of the Revised Code, no person shall fill out any 4466
portion of a federal post card application or other application 4467
for absent voter's ballots on behalf of an applicant. 4468

(2) The secretary of state or a board of elections may 4469
preprint only an applicant's name and address on a federal post 4470
card application or other application for absent voter's ballots 4471
before mailing that application to the applicant, except that if 4472
the applicant has a confidential voter registration record, the 4473
secretary of state or the board of elections shall not preprint 4474
the applicant's address on the application. 4475

(3) A completed application for absent voter's ballots is 4476
not valid if any portion of it has been completed by any person 4477
other than the applicant in violation of division (F) of this 4478
section. 4479

Sec. 3511.04. (A) If a board of elections receives an 4480

application for uniformed services or overseas absent voter's 4481
ballots that does not contain all of the required information or 4482
is not submitted on an appropriate form, the board promptly 4483
shall notify the applicant of the additional information 4484
required to be provided by the applicant to complete that 4485
application, direct the applicant to use an appropriate form, or 4486
both, as applicable. 4487

~~(B)~~ (B) (1) Not later than the forty-sixth day before the 4488
day of each general or primary election, and at the earliest 4489
possible time before the day of a special election held on a day 4490
other than the day on which a general or primary election is 4491
held, the board of elections shall mail, send by facsimile 4492
machine, send by electronic mail, send through internet delivery 4493
if such delivery is offered by the board of elections or the 4494
secretary of state, or otherwise send uniformed services or 4495
overseas absent voter's ballots then ready for use as provided 4496
for in section 3511.03 of the Revised Code and for which the 4497
board has received valid applications prior to that time. 4498
Thereafter, and until the close of business on the seventh day 4499
preceding the day of election, the board shall promptly, upon 4500
receipt of valid applications for them, mail, send by facsimile 4501
machine, send by electronic mail, send through internet delivery 4502
if such delivery is offered by the board of elections or the 4503
secretary of state, or otherwise send to the proper persons all 4504
uniformed services or overseas absent voter's ballots then ready 4505
for use. 4506

(2) If, after the seventieth day before the day of a 4507
general or primary election, any other question, issue, or 4508
candidacy is lawfully ordered submitted to the electors voting 4509
at the general or primary election, the board shall promptly 4510
provide a separate official issue, special election, or other 4511

election ballot for submitting the question, issue, or candidacy 4512
to those electors, and the board shall promptly mail, send by 4513
facsimile machine, send by electronic mail, send through 4514
internet delivery if such delivery is offered by the board of 4515
elections or the secretary of state, or otherwise send each such 4516
separate ballot to each person to whom the board has previously 4517
mailed or sent other uniformed services or overseas absent 4518
voter's ballots. 4519

(C) (1) Except as otherwise provided in division (C) (2) of 4520
this section, upon receiving a valid application for uniformed 4521
services or overseas absent voter's ballots from an elector who 4522
is required to cast a provisional ballot under section 3505.181 4523
of the Revised Code, the board instead shall deliver to the 4524
elector a provisional uniformed or overseas absent voter's 4525
ballot, as described in section 3511.052 of the Revised Code. In 4526
all other respects, the board shall proceed as described in 4527
division (B) of this section regarding the elector. 4528

(2) Division (C) (1) of this section does not apply to a 4529
uniformed services or overseas absent voter who submits a valid 4530
federal write-in absentee ballot in a general election for 4531
federal office as permitted under division (C) of section 4532
3511.14 of the Revised Code. 4533

(D) No public office, and no public official or employee 4534
who is acting in an official capacity, shall prepay the return 4535
postage for any absent voter's ballots. In mailing uniformed 4536
services or overseas absent voter's ballots, the board shall use 4537
the fastest mail service available, but the board shall not mail 4538
them by certified mail. 4539

Sec. 3511.05. (A) The board of elections shall place 4540
uniformed services or overseas absent voter's ballots sent by 4541

mail in an unsealed identification envelope, gummed ready for 4542
sealing. The board shall include with uniformed services or 4543
overseas absent voter's ballots sent electronically, including 4544
by facsimile machine, an instruction sheet for preparing a 4545
gummed envelope in which the ballots shall be returned. The 4546
envelope for returning ballots sent by either means shall have 4547
printed or written on its face a form substantially as follows: 4548

"Identification Envelope Statement of Voter 4549

I, _____ (Name of voter), declare under 4550
penalty of election falsification that the within ballot or 4551
ballots contained no voting marks of any kind when I received 4552
them, and I caused the ballot or ballots to be marked, enclosed 4553
in the identification envelope, and sealed in that envelope. 4554

My voting residence in Ohio is 4555

_____ 4556

(Street and Number, if any, or Rural Route and Number) 4557

of _____ (City, Village, or Township) 4558

Ohio, which is in Ward _____ Precinct _____ 4559

in that city, village, or township. 4560

If I have a confidential voter registration record, I am 4561

providing my program participant identification number instead 4562

of my residence address: _____ 4563

The primary election ballots, if any, within this envelope 4564

are primary election ballots of the _____ Party. 4565

Ballots contained within this envelope are to be voted at 4566

the _____ (general, special, or primary) election to be 4567

held on the _____ day of 4568

_____, _____ 4569

My date of birth is _____ (Month and Day), 4570
_____ (Year). 4571

~~(Voter must provide one of the following:)~~ 4572

My Ohio driver's license or state identification card 4573
number is _____ (Driver's license or state 4574
identification card number). 4575

(If the voter does not have an Ohio driver's license or 4576
state identification card, the voter must provide one of the 4577
following:) 4578

The last four digits of my Social Security Number are 4579
_____ (Last four digits of Social Security Number). 4580

_____ In lieu of providing a driver's license or state 4581
identification card number or the last four digits of my Social 4582
Security Number, I am enclosing a copy of my photo 4583
identification in the return envelope in which this 4584
identification envelope will be mailed. 4585

I hereby declare, under penalty of election falsification, 4586
that the statements above are true, as I verily believe. 4587

_____ 4588

(Signature of Voter) 4589

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 4590
THE FIFTH DEGREE." 4591

(B) The board shall also mail with the ballots and the 4592
unsealed identification envelope sent by mail an unsealed return 4593
envelope, gummed, ready for sealing, for use by the voter in 4594
returning the voter's marked ballots to the office of the board. 4595
The board shall send with the ballots and the instruction sheet 4596

for preparing a gummed envelope sent electronically, including 4597
by facsimile machine, an instruction sheet for preparing a 4598
second gummed envelope as described in this division, for use by 4599
the voter in returning that voter's marked ballots to the board. 4600
The return envelope shall have two parallel lines, each one 4601
quarter of an inch in width, printed across its face paralleling 4602
the top, with an intervening space of one quarter of an inch 4603
between such lines. The top line shall be one and one-quarter 4604
inches from the top of the envelope. Between the parallel lines 4605
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 4606
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 4607
lines shall be printed in the upper left corner on the face of 4608
the envelope for the use by the voter in placing the voter's 4609
complete military, naval, or mailing address on these lines. The 4610
post-office address of the office of the board shall be printed 4611
on the face of such envelope in the lower right portion below 4612
the bottom parallel line. 4613

(C) On the back of each identification envelope and each 4614
return envelope shall be printed the following: 4615

"Instructions to voter: 4616

If the flap on this envelope is so firmly stuck to the 4617
back of the envelope when received by you as to require forcible 4618
opening in order to use it, open the envelope in the manner 4619
least injurious to it, and, after marking your ballots and 4620
enclosing same in the envelope for mailing them to the board of 4621
elections, reclose the envelope in the most practicable way, by 4622
sealing or otherwise, and sign the blank form printed below. 4623

The flap on this envelope was firmly stuck to the back of 4624
the envelope when received, and required forced opening before 4625
sealing and mailing. 4626

_____ 4627

(Signature of voter)" 4628

(D) Division (C) of this section does not apply when 4629
absent voter's ballots are sent electronically, including by 4630
facsimile machine. 4631

(E) Except as otherwise provided in this division and in 4632
sections 3505.24 and 3509.08 of the Revised Code, an election 4633
official shall not fill out any portion of an identification 4634
envelope statement of voter or an absent voter's ballot on 4635
behalf of an elector. A board of elections may preprint only an 4636
elector's name and address on an identification envelope 4637
statement of voter before mailing or electronically transmitting 4638
absent voter's ballots to the elector, except that if the 4639
elector has a confidential voter registration record, as 4640
described in section 111.44 of the Revised Code, the board of 4641
elections shall not preprint the elector's address on the 4642
identification envelope statement of voter. 4643

Sec. 3511.052. (A) The identification envelope of a 4644
provisional uniformed services or overseas absent voter's ballot 4645
sent to an elector under division (C) (1) of section 3511.04 of 4646
the Revised Code shall have printed or written on its face a 4647
form substantially as follows: 4648

"Provisional Uniformed Services or Overseas Absent Voter's 4649
Ballot Affirmation 4650

(1) Clearly print your full name: 4651

(2) Write your date of birth: 4652

(3) (a) Write your current address: 4653

_____ 4654

(b) Have you moved without updating your voter registration?: 4655
4656

Yes No 4657

If yes, write your former address: 4658
_____ 4659

Failure to provide your former address will not cause your provisional ballot to be rejected. 4660
4661

(4) You must provide a copy of one of the following forms of photo identification that includes your name and photograph and is not expired. Place the copy in the return envelope along with this envelope. Do not place the copy inside the ballot envelope. 4662
4663
4664
4665
4666

(a) An Ohio driver's license or state identification card or an interim identification form issued by the Bureau of Motor Vehicles; 4667
4668
4669

(b) A United States passport or passport card; 4670

(c) A United States military identification card, Ohio national guard identification card, or United States department of veterans affairs identification card. 4671
4672
4673

(5) If you do not have photo identification because you have a religious objection to being photographed, complete the enclosed affidavit of religious objection and place it in the return envelope along with this ballot envelope. Do not place the affidavit inside the ballot envelope. 4674
4675
4676
4677
4678

(6) If you do not provide a copy of your photo identification or complete an affidavit of religious objection, you must provide a copy of your photo identification or a 4679
4680
4681

completed an affidavit of religious objection to the board of 4682
elections by the fourth day after the election for your ballot 4683
to be eligible to be counted. 4684

(7) Complete this section if you need to update your voter 4685
registration or if you need to verify the identification you 4686
used to register to vote. If you need to verify your 4687
identification and you do not provide the needed information on 4688
this form, you must provide the information to the board of 4689
elections by the fourth day after the election for your ballot 4690
to be eligible to be counted. 4691

Write your full Ohio driver's license or state 4692
identification card number: 4693

Write the last four digits of your Social Security number: 4694
_____ 4695

(8) If you are casting a provisional ballot because you 4696
need to provide proof of citizenship, either write your full 4697
Ohio driver's license or state identification card number above 4698
or provide proof of citizenship in the return envelope along 4699
with this envelope. Do not place your proof of citizenship 4700
inside the ballot envelope. If you do not provide proof of 4701
citizenship at this time, you must provide proof of citizenship 4702
to the board of elections by the fourth day after the election 4703
for your ballot to be eligible to be counted. 4704

(9) If your right to vote has been challenged, you must 4705
provide any additional required documents in the return envelope 4706
along with this envelope or provide them to the board of 4707
elections by the fourth day after the election. Do not place 4708
those documents inside the ballot envelope. 4709

(10) Sign and date the following statement: 4710

The within ballot or ballots contained no voting marks of 4711
any kind when I received them, and I caused the ballot or 4712
ballots to be marked, enclosed in this envelope, and sealed in 4713
this envelope. 4714

I solemnly swear or affirm that I am a citizen of the 4715
United States; that I will be at least 18 years of age at the 4716
time of the general election; that I have lived in this state 4717
for 30 days immediately preceding this election in which I am 4718
voting this ballot; that I am a registered voter in the precinct 4719
in which I am voting this provisional ballot; that I am eligible 4720
to vote in the election in which I am voting this provisional 4721
ballot; and that I will not vote or attempt to vote at any other 4722
location or in any other manner for this particular election. 4723

I understand that, if the information I provide on this 4724
provisional ballot affirmation is not fully completed and 4725
correct, if the board of elections determines that I am not 4726
registered to vote, a resident of this precinct, or eligible to 4727
vote in this election, or if the board of elections determines 4728
that I have already voted in this election, my provisional 4729
ballot will not be counted. I understand that, if I am not 4730
currently registered to vote or if I am not registered at my 4731
current address or under my current name, this form will serve 4732
as an application to register to vote or update my registration 4733
for future elections, as long as I provide all of the 4734
information required to register to vote or update my 4735
registration. I further understand that knowingly providing 4736
false information is a violation of law and subjects me to 4737
possible criminal prosecution. 4738

I hereby declare, under penalty of election falsification, 4739
that the above statements are true and correct to the best of my 4740

knowledge and belief. 4741

_____ 4742

Signature of Voter 4743

_____ 4744

Date 4745

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 4746

FELONY OF THE FIFTH DEGREE." 4747

(B) The board of elections shall include both of the 4748

following with the provisional uniformed services or overseas 4749

absent voter's ballot: 4750

(1) An explanation of the reason the voter is required to 4751

cast a provisional ballot and the information or documentation 4752

the voter must provide in order for the voter's ballot to be 4753

counted. If the voter needs to provide proof of citizenship, the 4754

board shall include a list of the documents that qualify as 4755

proof of citizenship. 4756

(2) A blank copy of the affidavit of religious objection 4757

to being photographed described in section 3505.19 of the 4758

Revised Code. 4759

(C) (1) In addition to any information required to be 4760

included on the written affirmation, an individual casting a 4761

provisional uniformed services or overseas absent voter's ballot 4762

may provide additional information to the board of elections to 4763

assist the board in determining the individual's eligibility to 4764

vote in that election, including the date and location at which 4765

the individual registered to vote, if known. 4766

(2) If the individual provided all of the information 4767

required under section 3503.14 of the Revised Code to register 4768
to vote or to update the individual's registration on the 4769
provisional uniformed services or overseas absent voter's ballot 4770
affirmation, the board of elections shall consider the 4771
affirmation to also serve as a notice of change of name, change 4772
of residence, or both, or as a voter registration form, as 4773
applicable, for that individual only for the purposes of future 4774
elections. 4775

(D) Upon receiving a completed provisional uniformed 4776
services or overseas absent voter's ballot, the board of 4777
elections shall process the ballot in accordance with section 4778
3505.183 of the Revised Code in the same manner as other 4779
provisional ballots. 4780

(E) In all other respects, except as otherwise provided in 4781
this chapter, the provisions of this chapter that apply to a 4782
uniformed services or overseas absent voter's ballot apply in 4783
the same manner to a provisional uniformed services or overseas 4784
absent voter's ballot. 4785

Sec. 3511.09. (A) Upon receiving uniformed services or 4786
overseas absent voter's ballots, the elector shall cause the 4787
questions on the face of the identification envelope to be 4788
answered, and, by writing the elector's usual signature in the 4789
proper place on the identification envelope, the elector shall 4790
declare under penalty of election falsification that the answers 4791
to those questions are true and correct to the best of the 4792
elector's knowledge and belief. Then, the elector shall note 4793
whether there are any voting marks on the ballot. If there are 4794
any voting marks, the ballot shall be returned immediately to 4795
the board of elections; otherwise, the elector shall cause the 4796
ballot to be marked, folded separately so as to conceal the 4797

markings on it, deposited in the identification envelope, and 4798
securely sealed in the identification envelope. The elector 4799
shall sign the identification envelope not later than the close 4800
of the polls on the day of the election. The elector then shall 4801
cause the identification envelope to be placed within the return 4802
envelope, sealed in the return envelope, and mailed to the board 4803
of elections to which it is addressed. 4804

~~(B) The~~ (B) (1) Except as otherwise provided in division 4805
(B) (2) of this section, the elector shall provide one of the 4806
following: 4807

~~(1) (a)~~ The elector's Ohio driver's license or state 4808
identification card number on the statement of voter on the 4809
identification envelope; 4810

~~(2) (b)~~ The last four digits of the elector's social 4811
security number on the statement of voter on the identification 4812
envelope; 4813

~~(3) (c)~~ A copy of the elector's photo identification in 4814
the return envelope with the identification envelope. 4815

(2) If the elector is casting a provisional uniformed 4816
services or overseas absent voter's ballot, the elector shall 4817
provide the applicable identification and other information 4818
required by the form described in section 3511.052 of the 4819
Revised Code. 4820

(C) Every uniformed services or overseas absent voter's 4821
ballot identification envelope shall be accompanied by the 4822
following statement in boldface capital letters: WHOEVER COMMITS 4823
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH 4824
DEGREE. 4825

(D) The elector shall cause the uniformed services or 4826

overseas absent voter's ballots to be returned to the office of 4827
the board of elections in a manner described in division (C) or 4828
(D) of section 3509.05 of the Revised Code, provided that the 4829
elector shall not be required to prepay the postage on the 4830
return envelope if, under 39 U.S.C. 3406, no postage is 4831
required. 4832

Sec. 3511.11. (A) ~~Uniformed~~ Except as otherwise provided 4833
in division (D) of section 3511.052 of the Revised Code, 4834
uniformed services or overseas absent voter's ballots delivered 4835
to the office of the board of elections not later than the close 4836
of the polls on election day shall be processed and counted in 4837
the manner provided in section 3509.06 of the Revised Code. 4838

(B) A return envelope is not required to be postmarked in 4839
order for a uniformed services or overseas absent voter's ballot 4840
contained in it to be valid. Except as otherwise provided in 4841
this division, whether or not the return envelope containing the 4842
ballot is postmarked, contains a late postmark, or contains an 4843
illegible postmark, a uniformed services or overseas absent 4844
voter's ballot that is received by mail after the close of the 4845
polls on election day through the fourth day after the election 4846
day shall be processed and counted on the fifth day after the 4847
election day at the office of the board of elections in the 4848
manner provided in section 3509.06 of the Revised Code if the 4849
voter signed the identification envelope by the close of the 4850
polls on election day. However, if a return envelope containing 4851
a uniformed services or overseas absent voter's ballot is so 4852
received, but the identification envelope in it is signed after 4853
the close of the polls on election day, the uniformed services 4854
or overseas absent voter's ballot shall not be counted. 4855

(C) The following types of uniformed services or overseas 4856

absent voter's ballots shall not be counted: 4857

(1) Uniformed services or overseas absent voter's ballots 4858
that are received by the board of elections after the close of 4859
the polls on the day of the election, and that contain an 4860
identification envelope that is signed after the close of the 4861
polls on election day; 4862

(2) Uniformed services or overseas absent voter's ballots 4863
that are received after the fourth day following the election. 4864

The uncounted ballots shall be preserved in their 4865
identification envelopes unopened until the time provided by 4866
section 3505.31 of the Revised Code for the destruction of all 4867
other ballots used at the election for which ballots were 4868
provided, at which time they shall be destroyed. 4869

Sec. 3511.14. (A) ~~A~~ Subject to division (C) of this 4870
section, a board of elections shall accept and process federal 4871
write-in absentee ballots cast under the Uniformed and Overseas 4872
Citizens Absentee Voting Act, 52 U.S.C. 20302 and 20303, for all 4873
elections for office and for all ballot questions and issues ~~as~~ 4874
~~required under "The Uniformed and Overseas Citizens Absentee~~ 4875
~~Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C.~~ 4876
~~1973ff, et seq., as amended.~~ 4877

(B) A uniformed services or overseas voter may use the 4878
declaration accompanying a federal write-in absentee ballot to 4879
apply to register to vote simultaneously with the submission of 4880
the federal write-in absentee ballot, if the declaration is 4881
received not later than thirty days before the day of the 4882
election. If the declaration is received after that date, the 4883
declaration shall be considered an application to register to 4884
vote for all subsequent elections. 4885

(C) A uniformed services or overseas absent voter who 4886
otherwise would be required to cast a provisional ballot under 4887
division (B) (1) of section 3503.201 of the Revised Code, but for 4888
no other reason, may cast a federal write-in absentee ballot 4889
under the Uniformed and Overseas Citizens Absentee Voting Act, 4890
52 U.S.C. 20302 and 20303, in a general election for federal 4891
office. The votes on such a voter's ballot shall be counted only 4892
for federal candidates and not for any state or local candidate 4893
or any ballot issue or question appearing on the ballot at the 4894
election. 4895

Sec. 3513.041. A write-in space shall be provided on the 4896
ballot for every office, except in an election for which the 4897
board of elections has received no valid declarations of intent 4898
to be a write-in candidate under this section. Write-in votes 4899
shall not be counted for any candidate who has not filed a 4900
declaration of intent to be a write-in candidate pursuant to 4901
this section. A qualified person who has filed a declaration of 4902
intent may receive write-in votes at either a primary or general 4903
election. Any candidate shall file a declaration of intent to be 4904
a write-in candidate before four p.m. of the seventy-second day 4905
preceding the election at which such candidacy is to be 4906
considered. If the election is to be determined by electors of a 4907
county or a district or subdivision within the county, such 4908
declaration shall be filed with the board of elections of that 4909
county. If the election is to be determined by electors of a 4910
subdivision located in more than one county, such declaration 4911
shall be filed with the board of elections of the county in 4912
which the major portion of the population of such subdivision is 4913
located. If the election is to be determined by electors of a 4914
district comprised of more than one county but less than all of 4915
the counties of the state, such declaration shall be filed with 4916

the board of elections of the most populous county in such 4917
district. Any candidate for an office to be voted upon by 4918
electors throughout the entire state shall file a declaration of 4919
intent to be a write-in candidate with the secretary of state 4920
before four p.m. of the seventy-second day preceding the 4921
election at which such candidacy is to be considered. In 4922
addition, candidates for president and vice-president of the 4923
United States shall also file with the secretary of state by 4924
that seventy-second day a slate of presidential electors 4925
sufficient in number to satisfy the requirements of the United 4926
States constitution. 4927

A board of elections shall not accept for filing the 4928
declaration of intent to be a write-in candidate of a person 4929
seeking to become a candidate if that person, for the same 4930
election, has already filed a declaration of candidacy, a 4931
declaration of intent to be a write-in candidate, or a 4932
nominating petition, or has become a candidate through party 4933
nomination at a primary election or by the filling of a vacancy 4934
under section 3513.30 or 3513.31 of the Revised Code, for any 4935
federal, state, or county office, if the declaration of intent 4936
to be a write-in candidate is for a state or county office, or 4937
for any municipal or township office, for member of a city, 4938
local, or exempted village board of education, or for member of 4939
a governing board of an educational service center, if the 4940
declaration of intent to be a write-in candidate is for a 4941
municipal or township office, or for member of a city, local, or 4942
exempted village board of education, or for member of a 4943
governing board of an educational service center. 4944

No person shall file a declaration of intent to be a 4945
write-in candidate for the office of governor unless the 4946
declaration also shows the intent of another person to be a 4947

write-in candidate for the office of lieutenant governor. No 4948
person shall file a declaration of intent to be a write-in 4949
candidate for the office of lieutenant governor unless the 4950
declaration also shows the intent of another person to be a 4951
write-in candidate for the office of governor. No person shall 4952
file a declaration of intent to be a write-in candidate for the 4953
office of governor or lieutenant governor if the person has 4954
previously filed a declaration of intent to be a write-in 4955
candidate to the office of governor or lieutenant governor at 4956
the same primary or general election. A write-in vote for the 4957
two candidates who file such a declaration shall be counted as a 4958
vote for them as joint candidates for the offices of governor 4959
and lieutenant governor. 4960

The secretary of state shall not accept for filing the 4961
declaration of intent to be a write-in candidate of a person for 4962
the office of governor unless the declaration also shows the 4963
intent of another person to be a write-in candidate for the 4964
office of lieutenant governor, shall not accept for filing the 4965
declaration of intent to be a write-in candidate of a person for 4966
the office of lieutenant governor unless the declaration also 4967
shows the intent of another person to be a write-in candidate 4968
for the office of governor, and shall not accept for filing the 4969
declaration of intent to be a write-in candidate of a person to 4970
the office of governor or lieutenant governor if that person, 4971
for the same election, has already filed a declaration of 4972
candidacy, a declaration of intent to be a write-in candidate, 4973
or a nominating petition, or has become a candidate through 4974
party nomination at a primary election or by the filling of a 4975
vacancy under section 3513.30 or 3513.31 of the Revised Code, 4976
for any other state office or any federal or county office. 4977

Protests against the candidacy of any person filing a 4978

declaration of intent to be a write-in candidate may be filed by 4979
any qualified elector who is eligible to vote in the election at 4980
which the candidacy is to be considered. The protest shall be in 4981
writing and shall be filed not later than four p.m. of the 4982
sixty-seventh day before the day of the election in accordance 4983
with section 3501.391 of the Revised Code. The protest shall be 4984
filed with the board of elections with which the declaration of 4985
intent to be a write-in candidate was filed. Upon the filing of 4986
the protest, the board with which it is filed shall ~~promptly fix~~ 4987
~~the time for hearing it and shall proceed in regard to the~~ 4988
~~hearing in the same manner as for hearings set for protests~~ 4989
~~filed under accordance with that section 3513.05 of the Revised~~ 4990
~~Code. At the time fixed, the board shall hear the protest and~~ 4991
~~determine the validity or invalidity of the declaration of~~ 4992
~~intent to be a write-in candidate.~~ If the board finds that the 4993
candidate is not an elector of the state, district, county, or 4994
political subdivision in which the candidate seeks election to 4995
office or has not fully complied with the requirements of Title 4996
XXXV of the Revised Code in regard to the candidate's candidacy, 4997
the candidate's declaration of intent to be a write-in candidate 4998
shall be determined to be invalid and shall be rejected; 4999
otherwise, it shall be determined to be valid. The determination 5000
of the board is final. 5001

The secretary of state shall prescribe the form of the 5002
declaration of intent to be a write-in candidate. 5003

Sec. 3513.05. Each person desiring to become a candidate 5004
for a party nomination at a primary election or for election to 5005
an office or position to be voted for at a primary election, 5006
except persons desiring to become joint candidates for the 5007
offices of governor and lieutenant governor and except as 5008
otherwise provided in section 3513.051 of the Revised Code, 5009

shall, not later than four p.m. of the ninetieth day before the 5010
day of the primary election, file a declaration of candidacy and 5011
petition and pay the fees required under divisions (A) and (B) 5012
of section 3513.10 of the Revised Code. The declaration of 5013
candidacy and all separate petition papers shall be filed at the 5014
same time as one instrument. When the offices are to be voted 5015
for at a primary election, persons desiring to become joint 5016
candidates for the offices of governor and lieutenant governor 5017
shall, not later than four p.m. of the ninetieth day before the 5018
day of the primary election, comply with section 3513.04 of the 5019
Revised Code. The prospective joint candidates' declaration of 5020
candidacy and all separate petition papers of candidacies shall 5021
be filed at the same time as one instrument. The secretary of 5022
state or a board of elections shall not accept for filing a 5023
declaration of candidacy and petition of a person seeking to 5024
become a candidate if that person, for the same election, has 5025
already filed a declaration of candidacy or a declaration of 5026
intent to be a write-in candidate, or has become a candidate by 5027
the filling of a vacancy under section 3513.30 of the Revised 5028
Code for any federal, state, or county office, if the 5029
declaration of candidacy is for a state or county office, or for 5030
any municipal or township office, if the declaration of 5031
candidacy is for a municipal or township office. 5032

If the declaration of candidacy declares a candidacy which 5033
is to be submitted to electors throughout the entire state, the 5034
petition, including a petition for joint candidates for the 5035
offices of governor and lieutenant governor, shall be signed by 5036
at least one thousand qualified electors who are members of the 5037
same political party as the candidate or joint candidates, and 5038
the declaration of candidacy and petition shall be filed with 5039
the secretary of state; provided that the secretary of state 5040

shall not accept or file any such petition appearing on its face 5041
to contain signatures of more than three thousand electors. 5042

Except as otherwise provided in this paragraph, if the 5043
declaration of candidacy is of one that is to be submitted only 5044
to electors within a district, political subdivision, or portion 5045
thereof, the petition shall be signed by not less than fifty 5046
qualified electors who are members of the same political party 5047
as the political party of which the candidate is a member. If 5048
the declaration of candidacy is for party nomination as a 5049
candidate for member of the legislative authority of a municipal 5050
corporation elected by ward, the petition shall be signed by not 5051
less than twenty-five qualified electors who are members of the 5052
political party of which the candidate is a member. 5053

No such petition, except the petition for a candidacy that 5054
is to be submitted to electors throughout the entire state, 5055
shall be accepted for filing if it appears to contain on its 5056
face signatures of more than three times the minimum number of 5057
signatures. When a petition of a candidate has been accepted for 5058
filing by a board of elections, the petition shall not be deemed 5059
invalid if, upon verification of signatures contained in the 5060
petition, the board of elections finds the number of signatures 5061
accepted exceeds three times the minimum number of signatures 5062
required. A board of elections may discontinue verifying 5063
signatures on petitions when the number of verified signatures 5064
equals the minimum required number of qualified signatures. 5065

If the declaration of candidacy declares a candidacy for 5066
party nomination or for election as a candidate of a minor 5067
party, the minimum number of signatures on such petition is one- 5068
half the minimum number provided in this section, except that, 5069
when the candidacy is one for election as a member of the state 5070

central committee or the county central committee of a political 5071
party, the minimum number shall be the same for a minor party as 5072
for a major party. 5073

If a declaration of candidacy is one for election as a 5074
member of the state central committee or the county central 5075
committee of a political party, the petition shall be signed by 5076
five qualified electors of the district, county, ward, township, 5077
or precinct within which electors may vote for such candidate. 5078
The electors signing such petition shall be members of the same 5079
political party as the political party of which the candidate is 5080
a member. 5081

For purposes of signing or circulating a petition of 5082
candidacy for party nomination or election, an elector is 5083
considered to be a member of a political party if the elector 5084
voted in that party's primary election within the preceding two 5085
calendar years, or if the elector did not vote in any other 5086
party's primary election within the preceding two calendar 5087
years. 5088

If the declaration of candidacy is of one that is to be 5089
submitted only to electors within a county, or within a district 5090
or subdivision or part thereof smaller than a county, the 5091
petition shall be filed with the board of elections of the 5092
county. If the declaration of candidacy is of one that is to be 5093
submitted only to electors of a district or subdivision or part 5094
thereof that is situated in more than one county, the petition 5095
shall be filed with the board of elections of the county within 5096
which the major portion of the population thereof, as 5097
ascertained by the next preceding federal census, is located. 5098

A petition shall consist of separate petition papers, each 5099
of which shall contain signatures of electors of only one 5100

county. Petitions or separate petition papers containing 5101
signatures of electors of more than one county shall not thereby 5102
be declared invalid. In case petitions or separate petition 5103
papers containing signatures of electors of more than one county 5104
are filed, the board shall determine the county from which the 5105
majority of signatures came, and only signatures from such 5106
county shall be counted. Signatures from any other county shall 5107
be invalid. 5108

Each separate petition paper shall be circulated by one 5109
person only, who shall be the candidate or a joint candidate or 5110
a member of the same political party as the candidate or joint 5111
candidates, and each separate petition paper shall be governed 5112
by the rules set forth in section 3501.38 of the Revised Code. 5113

The secretary of state shall promptly transmit to each 5114
board such separate petition papers of each petition 5115
accompanying a declaration of candidacy filed with the secretary 5116
of state as purport to contain signatures of electors of the 5117
county of such board. The board of the most populous county of a 5118
district shall promptly transmit to each board within such 5119
district such separate petition papers of each petition 5120
accompanying a declaration of candidacy filed with it as purport 5121
to contain signatures of electors of the county of each such 5122
board. The board of a county within which the major portion of 5123
the population of a subdivision, situated in more than one 5124
county, is located, shall promptly transmit to the board of each 5125
other county within which a portion of such subdivision is 5126
located such separate petition papers of each petition 5127
accompanying a declaration of candidacy filed with it as purport 5128
to contain signatures of electors of the portion of such 5129
subdivision in the county of each such board. 5130

All petition papers so transmitted to a board and all 5131
petitions accompanying declarations of candidacy filed with a 5132
board shall, under proper regulations, be open to public 5133
inspection until four p.m. of the eightieth day before the day 5134
of the next primary election. Each board shall, not later than 5135
the seventy-eighth day before the day of that primary election, 5136
examine and determine the validity or invalidity of the 5137
signatures on the petition papers so transmitted to or filed 5138
with it and shall return to the secretary of state all petition 5139
papers transmitted to it by the secretary of state, together 5140
with its certification of its determination as to the validity 5141
or invalidity of signatures thereon, and shall return to each 5142
other board all petition papers transmitted to it by such board, 5143
together with its certification of its determination as to the 5144
validity or invalidity of the signatures thereon. All other 5145
matters affecting the validity or invalidity of such petition 5146
papers shall be determined by the secretary of state or the 5147
board with whom such petition papers were filed. 5148

Protests against the candidacy of any person filing a 5149
declaration of candidacy for party nomination or for election to 5150
an office or position, as provided in this section, may be filed 5151
by any qualified elector who is a member of the same political 5152
party as the candidate and who is eligible to vote at the 5153
primary election for the candidate whose declaration of 5154
candidacy the elector objects to, or by the controlling 5155
committee of that political party. The protest shall be in 5156
writing, and shall be filed not later than four p.m. of the 5157
seventy-fourth day before the day of the primary election in 5158
accordance with section 3501.391 of the Revised Code. The 5159
protest shall be filed with the election officials with whom the 5160
declaration of candidacy and petition was filed. Upon the filing 5161

of the protest, the election officials with whom it is filed 5162
~~shall promptly fix the time for hearing it, and shall forthwith~~ 5163
~~mail notice of the filing of the protest and the time fixed for~~ 5164
~~hearing to the person whose candidacy is so protested. They~~ 5165
~~shall also forthwith mail notice of the time fixed for such~~ 5166
~~hearing to the person who filed the protest. At the time fixed,~~ 5167
~~such election officials shall hear the protest and determine the~~ 5168
~~validity or invalidity of the declaration of candidacy and~~ 5169
~~petition~~ proceed in accordance with that section. If they find 5170
that such candidate is not an elector of the state, district, 5171
county, or political subdivision in which the candidate seeks a 5172
party nomination or election to an office or position, or has 5173
not fully complied with this chapter, the candidate's 5174
declaration of candidacy and petition shall be determined to be 5175
invalid and shall be rejected; otherwise, it shall be determined 5176
to be valid. That determination shall be final. 5177

A protest against the candidacy of any persons filing a 5178
declaration of candidacy for joint party nomination to the 5179
offices of governor and lieutenant governor shall be filed, 5180
heard, and determined in the same manner as a protest against 5181
the candidacy of any person filing a declaration of candidacy 5182
singly. 5183

The secretary of state shall, on the seventieth day before 5184
the day of a primary election, certify to each board in the 5185
state the forms of the official ballots to be used at the 5186
primary election, together with the names of the candidates to 5187
be printed on the ballots whose nomination or election is to be 5188
determined by electors throughout the entire state and who filed 5189
valid declarations of candidacy and petitions. 5190

The board of the most populous county in a district 5191

comprised of more than one county but less than all of the 5192
counties of the state shall, on the seventieth day before the 5193
day of a primary election, certify to the board of each county 5194
in the district the names of the candidates to be printed on the 5195
official ballots to be used at the primary election, whose 5196
nomination or election is to be determined only by electors 5197
within the district and who filed valid declarations of 5198
candidacy and petitions. 5199

The board of a county within which the major portion of 5200
the population of a subdivision smaller than the county and 5201
situated in more than one county is located shall, on the 5202
seventieth day before the day of a primary election, certify to 5203
the board of each county in which a portion of that subdivision 5204
is located the names of the candidates to be printed on the 5205
official ballots to be used at the primary election, whose 5206
nomination or election is to be determined only by electors 5207
within that subdivision and who filed valid declarations of 5208
candidacy and petitions. 5209

Sec. 3513.07. The form of declaration of candidacy and 5210
petition of a person desiring to be a candidate for a party 5211
nomination or a candidate for election to an office or position 5212
to be voted for at a primary election shall be substantially as 5213
follows: 5214

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 5215

I, _____ (Name of Candidate), the 5216
undersigned, hereby declare under penalty of election 5217
falsification that my voting residence is in _____ 5218
precinct of the _____ (Township) or 5219
(Ward and City or Village) in the county of _____, 5220
Ohio; that my voting residence is _____ (Street and 5221

Number, if any, or Rural Route and Number) of the 5222
_____ (City or Village) of 5223
_____, Ohio; and that I am a qualified elector in 5224
the precinct in which my voting residence is located. I am a 5225
member of the _____ Party. I hereby declare that I desire to 5226
be _____ (a candidate for nomination as a 5227
candidate of the Party for election to the office of 5228
_____) (a candidate for election to the office or 5229
position of _____) for the _____ in the state, 5230
district, (Full term or unexpired term ending _____) 5231
county, city, or village of _____, at the primary 5232
election to be held on the _____ day of _____, _____, 5233
and I hereby request that my name be printed upon the official 5234
primary election ballot of the said _____ Party as a 5235
candidate for _____ (such nomination) or (such election) as 5236
provided by law. 5237

I further declare that, if elected to said office or 5238
position, I will qualify therefor, and that I will support and 5239
abide by the principles enunciated by the _____ Party. 5240

Dated this _____ day of _____, _____ 5241

(Signature of candidate) 5242 5243

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 5244
FELONY OF THE FIFTH DEGREE. 5245

PETITION OF CANDIDATE 5246

We, the undersigned, qualified electors of the state of 5247
Ohio, whose voting residence is in the county, city, village, 5248
ward, township, or school district, and precinct set opposite 5249
our names, and members of the 5250

_____ Party, hereby certify 5251
that _____ (Name of candidate) whose 5252
declaration of candidacy is filed herewith, is a member of the 5253
_____ Party, and is, in our opinion, well qualified to 5254
perform the duties of the office or position to which that 5255
candidate desires to be elected. 5256

Street City, 5257
and Village or 5258
Signature Number Township Ward Precinct County Date 5259

(Must use address on file with the board of elections) 5260

_____ 5261
5262
5263

STATEMENT OF CIRCULATOR 5264

I, _____ (Name of 5265
circulator of petition), ~~declares~~ declare under penalty of 5266
election falsification that ~~the circulator of the petition is a~~ 5267
~~qualified elector of the state of Ohio and resides~~ I reside at 5268
the address appearing below ~~the my signature of that circulator;~~ 5269
that ~~the circulator is~~ I am a member of the _____ Party; 5270
that ~~the circulator is~~ I am the circulator of the foregoing 5271
petition paper containing _____ (Number) signatures; 5272
that ~~the circulator~~ I witnessed the affixing of every signature; 5273
that all signers were to the best of ~~the circulator's~~ my 5274
knowledge and belief qualified to sign; and that every signature 5275
is to the best of ~~the circulator's~~ my knowledge and belief the 5276
signature of the person whose signature it purports to be or of 5277
an attorney in fact acting pursuant to section 3501.382 of the 5278
Revised Code. (The circulator shall personally write the number 5279

of electors whose signatures the petition paper contains.) 5280

For the purposes of any proceeding related to this 5281
petition, I submit to the jurisdiction of the courts of the 5282
State of Ohio, the Ohio Secretary of State, and the board of 5283
elections of the county in which I have circulated this 5284
petition. I understand that I may be required to testify or to 5285
produce evidence in such a proceeding. I agree to receive any 5286
service of process at the residence address I have provided. 5287

I am compensated to circulate this petition by 5288
(name and address). (The circulator shall 5289
complete the preceding sentence as required by section 3501.38 5290
of the Revised Code if the circulator is being compensated to 5291
circulate the petition.) 5292

_____ 5293
(Signature of circulator) 5294

_____ 5295
(Address of circulator's 5296
permanent residence ~~in this~~ 5297
~~state)~~ 5298

_____ 5299
~~(If petition is for a~~ 5300
~~statewide candidate, the~~ 5301
~~name and address of person~~ 5302
~~employing to circulate~~ 5303
~~petition, if any)~~ 5304

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 5305
FELONY OF THE FIFTH DEGREE." 5306

The secretary of state shall prescribe a form of 5307
declaration of candidacy and petition, and the form shall be 5308
substantially similar to the declaration of candidacy and 5309
petition set forth in this section, that will be suitable for 5310
joint candidates for the offices of governor and lieutenant 5311
governor. 5312

The petition provided for in this section shall be 5313
circulated only by a member of the same political party as the 5314
candidate. 5315

Sec. 3513.261. A nominating petition may consist of one or 5316
more separate petition papers, each of which shall be 5317
substantially in the form prescribed in this section. If the 5318
petition consists of more than one separate petition paper, the 5319
statement of candidacy of the candidate or joint candidates 5320
named need be signed by the candidate or joint candidates on 5321
only one of such separate petition papers, but the statement of 5322
candidacy so signed shall be copied on each other separate 5323
petition paper before the signatures of electors are placed on 5324
it. Each nominating petition containing signatures of electors 5325
of more than one county shall consist of separate petition 5326
papers each of which shall contain signatures of electors of 5327
only one county; provided that petitions containing signatures 5328
of electors of more than one county shall not thereby be 5329
declared invalid. In case petitions containing signatures of 5330
electors of more than one county are filed, the board of 5331
elections shall determine the county from which the majority of 5332
the signatures came, and only signatures from this county shall 5333
be counted. Signatures from any other county shall be invalid. 5334

All signatures on nominating petitions shall be written in ink or indelible pencil.

At the time of filing a nominating petition, the candidate designated in the nominating petition, and joint candidates for governor and lieutenant governor, shall pay to the election officials with whom it is filed the fees specified for the office under divisions (A) and (B) of section 3513.10 of the Revised Code. The fees shall be disposed of by those election officials in the manner that is provided in section 3513.10 of the Revised Code for the disposition of other fees, and in no case shall a fee required under that section be returned to a candidate.

Candidates or joint candidates whose names are written on the ballot, and who are elected, shall pay the same fees under section 3513.10 of the Revised Code that candidates who file nominating petitions pay. Payment of these fees shall be a condition precedent to the granting of their certificates of election.

Each nominating petition shall contain a statement of candidacy that shall be signed by the candidate or joint candidates named in it or by an attorney in fact acting pursuant to section 3501.382 of the Revised Code. Such statement of candidacy shall contain a declaration made under penalty of election falsification that the candidate desires to be a candidate for the office named in it, and that the candidate is an elector qualified to vote for the office the candidate seeks.

The form of the nominating petition and statement of candidacy shall be substantially as follows:

"STATEMENT OF CANDIDACY

I, _____ (Name of candidate), the undersigned, hereby declare under penalty of election falsification that my voting residence is in _____ Precinct of the _____ (Township) or (Ward and City, or Village) in the county of _____ Ohio; that my post-office address is _____ (Street and Number, if any, or Rural Route and Number) of the _____ (City, Village, or post office) of _____, Ohio; and that I am a qualified elector in the precinct in which my voting residence is located. I hereby declare that I desire to be a candidate for election to the office of _____ in the _____ (State, District, County, City, Village, Township, or School District) for the _____ (Full term or unexpired term ending _____) at the General Election to be held on the _____ day of _____, _____

I further declare that I am an elector qualified to vote for the office I seek. Dated this _____ day of _____, _____

(Signature of candidate)

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

I, _____, hereby constitute the persons named below a committee to represent me:

Name	Residence
_____	_____

_____ 5392
 _____ 5393
 _____ 5394
 _____ 5395

The designated agent of the committee is _____ 5396
 (name). Notice of all matters or proceedings pertaining to this _____ 5397
 petition may be served on the agent at _____ 5398
 (address). _____ 5399

NOMINATING PETITION 5400

We, the undersigned, qualified electors of the state of _____ 5401
 Ohio, whose voting residence is in the County, City, Village, _____ 5402
 Ward, Township or Precinct set opposite our names, hereby _____ 5403
 nominate _____ as a candidate for election to the _____ 5404
 office of _____ in the _____ 5405
 _____ (State, District, County, City, _____ 5406
 Village, Township, or School District) for the _____ 5407
 (Full term or unexpired term ending _____) to be _____ 5408
 voted for at the general election next hereafter to be held, and _____ 5409
 certify that this person is, in our opinion, well qualified to _____ 5410
 perform the duties of the office or position to which the person _____ 5411
 desires to be elected. _____ 5412

5413

1 2 3 4 5 6 7

- A Street
- B Address
- C or R.F.D.

D (Must use
E address on City,
F file with Village
G the board of or Date of
H Signature elections) Township Ward Precinct County Signing

5414

5415

5416

STATEMENT OF CIRCULATOR 5417

I, _____, ~~declares~~declare under penalty 5418
of election falsification that ~~such person is a qualified~~ 5419
~~elector of the state of Ohio and resides~~I reside at the address 5420
appearing below ~~such person's~~my signature hereto; that ~~such~~ 5421
~~person is~~I am the circulator of the foregoing petition paper 5422
containing _____ signatures; that ~~such person~~I 5423
witnessed the affixing of every signature; that all signers were 5424
to the best of ~~such person's~~my knowledge and belief qualified 5425
to sign; and that every signature is to the best of ~~such~~ 5426
~~person's~~my knowledge and belief the signature of the person 5427
whose signature it purports to be or of an attorney in fact 5428
acting pursuant to section 3501.382 of the Revised Code. (The 5429
circulator shall personally write the number of electors whose 5430
signatures the petition paper contains.) 5431

For the purposes of any proceeding related to this 5432
petition, I submit to the jurisdiction of the courts of the 5433

State of Ohio, the Ohio Secretary of State, and the board of 5434
elections of the county in which I have circulated this 5435
petition. I understand that I may be required to testify or to 5436
produce evidence in such a proceeding. I agree to receive any 5437
service of process at the residence address I have provided. 5438

I am compensated to circulate this petition by 5439
_____ 5440
(name and address). (The circulator shall 5440
complete the preceding sentence as required by section 3501.38 5441
of the Revised Code if the circulator is being compensated to 5442
circulate the petition.) 5443

_____ 5444
(Signature of circulator) 5445

_____ 5446
(Address of circulator's 5447
permanent residence— 5448

_____ in this state) 5449

===== 5450
(If petition is for a statewide— 5451

_____ candidate, the name and address— 5452

_____ of person employing circulator— 5453

_____ to circulate petition, if any) 5454

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 5455
FELONY OF THE FIFTH DEGREE." 5456

The secretary of state shall prescribe a form of 5457
nominating petition for a group of candidates for the office of 5458
member of a board of education, township office, and offices of 5459

municipal corporations of under two thousand population. 5460

The secretary of state shall prescribe a form of statement 5461
of candidacy and nominating petition, which shall be 5462
substantially similar to the form of statement of candidacy and 5463
nominating petition set forth in this section, that will be 5464
suitable for joint candidates for the offices of governor and 5465
lieutenant governor. 5466

If such petition nominates a candidate whose election is 5467
to be determined by the electors of a county or a district or 5468
subdivision within the county, it shall be filed with the board 5469
of such county. If the petition nominates a candidate whose 5470
election is to be determined by the voters of a subdivision 5471
located in more than one county, it shall be filed with the 5472
board of the county in which the major portion of the population 5473
of such subdivision is located. 5474

If the petition nominates a candidate whose election is to 5475
be determined by the electors of a district comprised of more 5476
than one county but less than all of the counties of the state, 5477
it shall be filed with the board of elections of the most 5478
populous county in such district. If the petition nominates a 5479
candidate whose election is to be determined by the electors of 5480
the state at large, it shall be filed with the secretary of 5481
state. 5482

The secretary of state or a board of elections shall not 5483
accept for filing a nominating petition of a person seeking to 5484
become a candidate if that person, for the same election, has 5485
already filed a declaration of candidacy, a declaration of 5486
intent to be a write-in candidate, or a nominating petition, or 5487
has become a candidate through party nomination at a primary 5488
election or by the filling of a vacancy under section 3513.30 or 5489

3513.31 of the Revised Code for any federal, state, or county 5490
office, if the nominating petition is for a state or county 5491
office, or for any municipal or township office, for member of a 5492
city, local, or exempted village board of education, or for 5493
member of a governing board of an educational service center, if 5494
the nominating petition is for a municipal or township office, 5495
or for member of a city, local, or exempted village board of 5496
education, or for member of a governing board of an educational 5497
service center. 5498

Sec. 3513.262. The nominating petitions of all candidates 5499
required to be filed before four p.m. of the day before the day 5500
of the primary election immediately preceding the general 5501
election shall be processed as follows: 5502

If such petition is filed with the secretary of state, the 5503
secretary of state shall, not later than the fifteenth day of 5504
June following the filing of such petition, or if the primary 5505
election was a presidential primary election, not later than the 5506
end of the sixth week after the day of that election, transmit 5507
to each board such separate petition papers as purport to 5508
contain signatures of electors of the county of such board. If 5509
such petition is filed with the board of the most populous 5510
county of a district or of a county in which the major portion 5511
of the population of a subdivision is located, such board shall, 5512
not later than the fifteenth day of June, or if the primary 5513
election was a presidential primary election, not later than the 5514
end of the sixth week after the day of that election, transmit 5515
to each board within such district such separate petition papers 5516
of the petition as purport to contain signatures of electors of 5517
the county of such board. 5518

All petition papers so transmitted to a board and all 5519

nominating petitions filed with a board shall, under proper 5520
regulations, be open to public inspection from the fifteenth day 5521
of June until four p.m. of the thirtieth day of that month, or 5522
if the primary election was a presidential primary election, 5523
from the end of the sixth week after the election until four 5524
p.m. of the end of the seventh week after the election. Each 5525
board shall, not later than the next fifteenth day of July, or 5526
if the primary election was a presidential primary election, not 5527
later than the end of the tenth week after the day of that 5528
election, examine and determine the sufficiency of the 5529
signatures on the petition papers transmitted to or filed with 5530
it, and the validity of the petitions filed with it, and shall 5531
return to the secretary of state all petition papers transmitted 5532
to it by the secretary of state, together with its certification 5533
of its determination as to the validity or invalidity of 5534
signatures thereon, and shall return to each other board all 5535
petition papers transmitted to it by such other board, as 5536
provided in this section, together with its certification of its 5537
determination as to the validity or invalidity of signatures 5538
thereon. A signature on a nominating petition is not valid if it 5539
is dated more than one year before the date the nominating 5540
petition was filed. All other matters affecting the validity or 5541
invalidity of such petition papers shall be determined by the 5542
secretary of state or the board with whom such petition papers 5543
were filed. 5544

Written protests against nominating petitions may be filed 5545
by any qualified elector eligible to vote for the candidate 5546
whose nominating petition the elector objects to, not later than 5547
four p.m. of the thirtieth day of July, or if the primary 5548
election was a presidential primary election, not later than the 5549
end of the twelfth week after the day of that election in 5550

accordance with section 3501.391 of the Revised Code. Such 5551
protests shall be filed with the election officials with whom 5552
the nominating petition was filed. Upon the filing of such 5553
protest, the election officials with whom it is filed shall- 5554
~~promptly fix the time and place for hearing it, and shall~~ 5555
~~forthwith mail notice of the filing of such protest and the time~~ 5556
~~and place for hearing it to the person whose nomination is-~~ 5557
protested. They shall also forthwith mail notice of the time and 5558
place fixed for the hearing to the person who filed the protest. 5559
~~At the time fixed, such election officials shall hear the~~ 5560
~~protest and determine the validity or invalidity of the~~ 5561
~~petition. Such determination shall be final~~ proceed in 5562
accordance with that section. 5563

A protest against the nominating petition filed by joint 5564
candidates for the offices of governor and lieutenant governor 5565
shall be filed, heard, and determined in the same manner as a 5566
protest against the nominating petition of a candidate who files 5567
individually. 5568

Sec. 3513.263. The nominating petitions of all candidates 5569
required to be filed before four p.m. of the ninetieth day 5570
before the day of the general election, shall be processed as 5571
follows: 5572

If such petition is filed with the secretary of state, the 5573
secretary of state shall promptly transmit to each board such 5574
separate petition papers as purports to contain signatures of 5575
electors of the county of such board. 5576

If such petition is filed with the board of a county in 5577
which the major portion of the population of a subdivision is 5578
located, such board shall promptly transmit to the board of each 5579
county in which other portions of such subdivision are located 5580

such separate petition papers of the petition as purport to 5581
contain signatures of electors of such county. 5582

All petition papers so transmitted to a board of 5583
elections, and all nominating petitions filed with a board of 5584
elections shall, under proper regulation, be open to public 5585
inspection until four p.m. of the eightieth day before the day 5586
of such general election. Each board shall, not later than the 5587
seventy-eighth day before the day of such general election 5588
examine and determine the sufficiency of the signatures on the 5589
petition papers transmitted to or filed with it and the validity 5590
or invalidity of petitions filed with it, and shall return to 5591
each other board all petition papers transmitted to it by such 5592
other board, together with its certification of its 5593
determination as to the validity or invalidity of signatures 5594
thereon. A signature on a nominating petition is not valid if it 5595
is dated more than one year before the date the nominating 5596
petition was filed. All other matters affecting the validity or 5597
invalidity of such petition papers shall be determined by the 5598
board with whom such petition papers were filed. 5599

Written protests against such nominating petitions may be 5600
filed by any qualified elector eligible to vote for the 5601
candidate whose nominating petition the elector objects to, not 5602
later than the seventy-fourth day before the general election in 5603
accordance with section 3501.391 of the Revised Code. Such 5604
protests shall be filed with the election officials with whom 5605
the nominating petition was filed. Upon the filing of such 5606
protests, the election officials with whom it is filed shall- 5607
~~promptly fix the time and place for hearing it, and shall-~~ 5608
~~forthwith mail notice of the filing of such protest and the time~~ 5609
~~and place for hearing it to the person whose nomination is-~~ 5610
~~protested. They shall also forthwith mail notice of the time and~~ 5611

~~place fixed for the hearing to the person who filed the protest.~~ 5612
~~At the time and place fixed, such election officials shall hear~~ 5613
~~the protest and determine the validity or invalidity of the~~ 5614
~~petition. Such determination shall be final~~ proceed in 5615
accordance with that section. 5616

Sec. 3517.01. (A) (1) A political party within the meaning 5617
of Title XXXV of the Revised Code is any group of voters that 5618
meets either of the following requirements: 5619

(a) Except as otherwise provided in this division, at the 5620
most recent regular state election, the group polled for its 5621
candidate for governor in the state or nominees for presidential 5622
electors at least three per cent of the entire vote cast for 5623
that office. A group that meets the requirements of this 5624
division remains a political party for a period of four years 5625
after meeting those requirements. 5626

(b) The group filed with the secretary of state, 5627
subsequent to its failure to meet the requirements of division 5628
(A) (1) (a) of this section, a party formation petition that meets 5629
all of the following requirements: 5630

(i) The petition is signed by qualified electors equal in 5631
number to at least one per cent of the total vote for governor 5632
or nominees for presidential electors at the most recent 5633
election for such office. 5634

(ii) The petition is signed by not fewer than five hundred 5635
qualified electors from each of at least a minimum of one-half 5636
of the congressional districts in this state. If an odd number 5637
of congressional districts exists in this state, the number of 5638
districts that results from dividing the number of congressional 5639
districts by two shall be rounded up to the next whole number. 5640

(iii) The petition declares the petitioners' intention of
organizing a political party, the name of which shall be stated
in the declaration, and of participating in the succeeding
general election, held in even-numbered years, that occurs more
than one hundred twenty-five days after the date of filing.

(iv) The petition designates a committee of not less than
three nor more than five individuals of the petitioners, who
shall represent the petitioners in all matters relating to the
petition. Notice of all matters or proceedings pertaining to the
petition may be served on the ~~committee, or any of them~~
committee's agent designated under division (N) (1) of section
3501.38 of the Revised Code, either personally or by registered
mail, or by leaving such notice at the agent's usual place of
residence ~~of each of them~~.

(2) No such group of electors shall assume a name or
designation that is similar, in the opinion of the secretary of
state, to that of an existing political party as to confuse or
mislead the voters at an election.

(B) A campaign committee shall be legally liable for any
debts, contracts, or expenditures incurred or executed in its
name.

(C) Notwithstanding the definitions found in section
3501.01 of the Revised Code, as used in this section and
sections 3517.08 to 3517.991 of the Revised Code:

(1) "Campaign committee" means a candidate or a
combination of two or more persons authorized by a candidate
under section 3517.081 of the Revised Code to receive
contributions and make expenditures.

(2) "Campaign treasurer" means an individual appointed by

a candidate under section 3517.081 of the Revised Code. 5670

(3) "Candidate" has the same meaning as in division (H) of 5671
section 3501.01 of the Revised Code and also includes any person 5672
who, at any time before or after an election, receives 5673
contributions or makes expenditures or other use of 5674
contributions, has given consent for another to receive 5675
contributions or make expenditures or other use of 5676
contributions, or appoints a campaign treasurer, for the purpose 5677
of bringing about the person's nomination or election to public 5678
office. When two persons jointly seek the offices of governor 5679
and lieutenant governor, "candidate" means the pair of 5680
candidates jointly. "Candidate" does not include candidates for 5681
election to the offices of member of a county or state central 5682
committee, presidential elector, and delegate to a national 5683
convention or conference of a political party. 5684

(4) "Continuing association" means an association, other 5685
than a campaign committee, political party, legislative campaign 5686
fund, political contributing entity, or labor organization, that 5687
is intended to be a permanent organization that has a primary 5688
purpose other than supporting or opposing specific candidates, 5689
political parties, or ballot issues, and that functions on a 5690
regular basis throughout the year. "Continuing association" 5691
includes organizations that are determined to be not organized 5692
for profit under subsection 501 and that are described in 5693
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 5694
Revenue Code. 5695

(5) "Contribution" means a loan, gift, deposit, 5696
forgiveness of indebtedness, donation, advance, payment, or 5697
transfer of funds or anything of value, including a transfer of 5698
funds from an inter vivos or testamentary trust or decedent's 5699

estate, and the payment by any person other than the person to 5700
whom the services are rendered for the personal services of 5701
another person, which contribution is made, received, or used 5702
for the purpose of influencing the results of an election. Any 5703
loan, gift, deposit, forgiveness of indebtedness, donation, 5704
advance, payment, or transfer of funds or of anything of value, 5705
including a transfer of funds from an inter vivos or 5706
testamentary trust or decedent's estate, and the payment by any 5707
campaign committee, political action committee, legislative 5708
campaign fund, political party, political contributing entity, 5709
or person other than the person to whom the services are 5710
rendered for the personal services of another person, that is 5711
made, received, or used by a state or county political party, 5712
other than the moneys an entity may receive under sections 5713
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 5714
considered to be a "contribution" for the purpose of section 5715
3517.10 of the Revised Code and shall be included on a statement 5716
of contributions filed under that section. 5717

"Contribution" does not include any of the following: 5718

(a) Services provided without compensation by individuals 5719
volunteering a portion or all of their time on behalf of a 5720
person; 5721

(b) Ordinary home hospitality; 5722

(c) The personal expenses of a volunteer paid for by that 5723
volunteer campaign worker; 5724

(d) Any gift given to an entity pursuant to section 5725
3517.101 of the Revised Code; 5726

(e) Any contribution as defined in section 3517.1011 of 5727
the Revised Code that is made, received, or used to pay the 5728

direct costs of producing or airing an electioneering 5729
communication; 5730

(f) Any gift given to a state or county political party 5731
for the party's restricted fund under division (A) (2) of section 5732
3517.1012 of the Revised Code; 5733

(g) Any gift given to a state political party for deposit 5734
in a Levin account pursuant to section 3517.1013 of the Revised 5735
Code. As used in this division, "Levin account" has the same 5736
meaning as in that section. 5737

(h) Any donation given to a transition fund under section 5738
3517.1014 of the Revised Code. 5739

(6) "Expenditure" means the disbursement or use of a 5740
contribution for the purpose of influencing the results of an 5741
election or of making a charitable donation under division (G) 5742
of section 3517.08 of the Revised Code. Any disbursement or use 5743
of a contribution by a state or county political party is an 5744
expenditure and shall be considered either to be made for the 5745
purpose of influencing the results of an election or to be made 5746
as a charitable donation under division (G) of section 3517.08 5747
of the Revised Code and shall be reported on a statement of 5748
expenditures filed under section 3517.10 of the Revised Code. 5749
During the thirty days preceding a primary or general election, 5750
any disbursement to pay the direct costs of producing or airing 5751
a broadcast, cable, or satellite communication that refers to a 5752
clearly identified candidate shall be considered to be made for 5753
the purpose of influencing the results of that election and 5754
shall be reported as an expenditure or as an independent 5755
expenditure under section 3517.10 or 3517.105 of the Revised 5756
Code, as applicable, except that the information required to be 5757
reported regarding contributors for those expenditures or 5758

independent expenditures shall be the same as the information 5759
required to be reported under divisions (D) (1) and (2) of 5760
section 3517.1011 of the Revised Code. 5761

As used in this division, "broadcast, cable, or satellite 5762
communication" and "refers to a clearly identified candidate" 5763
have the same meanings as in section 3517.1011 of the Revised 5764
Code. 5765

(7) "Personal expenses" includes, but is not limited to, 5766
ordinary expenses for accommodations, clothing, food, personal 5767
motor vehicle or airplane, and home telephone. 5768

(8) "Political action committee" means a combination of 5769
two or more persons, the primary or major purpose of which is to 5770
support or oppose any candidate, political party, or issue, or 5771
to influence the result of any election through express 5772
advocacy, and that is not a political party, a campaign 5773
committee, a political contributing entity, or a legislative 5774
campaign fund. "Political action committee" does not include 5775
either of the following: 5776

(a) A continuing association that makes disbursements for 5777
the direct costs of producing or airing electioneering 5778
communications and that does not engage in express advocacy; 5779

(b) A political club that is formed primarily for social 5780
purposes and that consists of one hundred members or less, has 5781
officers and periodic meetings, has less than two thousand five 5782
hundred dollars in its treasury at all times, and makes an 5783
aggregate total contribution of one thousand dollars or less per 5784
calendar year. 5785

(9) "Public office" means any state, county, municipal, 5786
township, or district office, except an office of a political 5787

party, that is filled by an election and the offices of United States senator and representative. (5788-5789)

(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code. (5790-5791)

(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists. (5792-5796)

(12) "Campaign fund" means money or other property, including contributions. (5797-5798)

(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code. (5799-5800)

(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party. (5801-5803)

(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and associated with one of the houses of the general assembly. (5804-5806)

(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, fund, party, or entity. The financing of the dissemination, distribution, or republication, in whole or part, of any (5807-5816)

broadcast or of any written, graphic, or other form of campaign materials prepared by the candidate, the candidate's campaign committee, or their authorized agents is an in-kind contribution to the candidate and an expenditure by the candidate.

(17) "Independent expenditure" means an expenditure by a person advocating the election or defeat of an identified candidate or candidates, that is not made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of any candidate or candidates or of the campaign committee or agent of the candidate or candidates. As used in division (C) (17) of this section:

(a) "Person" means an individual, partnership, unincorporated business organization or association, political action committee, political contributing entity, separate segregated fund, association, or other organization or group of persons, but not a labor organization or a corporation unless the labor organization or corporation is a political contributing entity.

(b) "Advocating" means any communication containing a message advocating election or defeat.

(c) "Identified candidate" means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

(d) "Made in coordination, cooperation, or consultation with, or at the request or suggestion of, any candidate or the campaign committee or agent of the candidate" means made pursuant to any arrangement, coordination, or direction by the candidate, the candidate's campaign committee, or the

candidate's agent prior to the publication, distribution, 5846
display, or broadcast of the communication. An expenditure is 5847
presumed to be so made when it is any of the following: 5848

(i) Based on information about the candidate's plans, 5849
projects, or needs provided to the person making the expenditure 5850
by the candidate, or by the candidate's campaign committee or 5851
agent, with a view toward having an expenditure made; 5852

(ii) Made by or through any person who is, or has been, 5853
authorized to raise or expend funds, who is, or has been, an 5854
officer of the candidate's campaign committee, or who is, or has 5855
been, receiving any form of compensation or reimbursement from 5856
the candidate or the candidate's campaign committee or agent; 5857

(iii) Except as otherwise provided in division (D) of 5858
section 3517.105 of the Revised Code, made by a political party 5859
in support of a candidate, unless the expenditure is made by a 5860
political party to conduct voter registration or voter education 5861
efforts. 5862

(e) "Agent" means any person who has actual oral or 5863
written authority, either express or implied, to make or to 5864
authorize the making of expenditures on behalf of a candidate, 5865
or means any person who has been placed in a position with the 5866
candidate's campaign committee or organization such that it 5867
would reasonably appear that in the ordinary course of campaign- 5868
related activities the person may authorize expenditures. 5869

(18) "Labor organization" means a labor union; an employee 5870
organization; a federation of labor unions, groups, locals, or 5871
other employee organizations; an auxiliary of a labor union, 5872
employee organization, or federation of labor unions, groups, 5873
locals, or other employee organizations; or any other bona fide 5874

organization in which employees participate and that exists for 5875
the purpose, in whole or in part, of dealing with employers 5876
concerning grievances, labor disputes, wages, hours, and other 5877
terms and conditions of employment. 5878

(19) "Separate segregated fund" means a separate 5879
segregated fund established pursuant to the Federal Election 5880
Campaign Act. 5881

(20) "Federal Election Campaign Act" means the "Federal 5882
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 5883
seq., as amended. 5884

(21) "Restricted fund" means the fund a state or county 5885
political party must establish under division (A)(1) of section 5886
3517.1012 of the Revised Code. 5887

(22) "Electioneering communication" has the same meaning 5888
as in section 3517.1011 of the Revised Code. 5889

(23) "Express advocacy" means a communication that 5890
contains express words advocating the nomination, election, or 5891
defeat of a candidate or that contains express words advocating 5892
the adoption or defeat of a question or issue, as determined by 5893
a final judgment of a court of competent jurisdiction. 5894

(24) "Political committee" has the same meaning as in 5895
section 3517.1011 of the Revised Code. 5896

(25) "Political contributing entity" means any entity, 5897
including a corporation or labor organization, that may lawfully 5898
make contributions and expenditures and that is not an 5899
individual or a political action committee, continuing 5900
association, campaign committee, political party, legislative 5901
campaign fund, designated state campaign committee, or state 5902
candidate fund. For purposes of this division, "lawfully" means 5903

not prohibited by any section of the Revised Code, or authorized 5904
by a final judgment of a court of competent jurisdiction. 5905

(26) "Internet identifier of record" has the same meaning 5906
as in section 9.312 of the Revised Code. 5907

Sec. 3517.12. (A) Prior to receiving a contribution or 5908
making an expenditure, the ~~circulator or~~ committee in charge of 5909
an initiative or referendum petition, or supplementary petition 5910
for additional signatures, for the submission of a 5911
constitutional amendment, proposed law, section, or item of any 5912
law shall appoint a treasurer and ~~shall file with the secretary-~~ 5913
~~of state, on a form prescribed by the secretary of state,~~ 5914
include a designation of that appointment, ~~including the full-~~ 5915
~~name and address of the treasurer and of the circulator or~~ 5916
~~committee~~ on the statement described in division (B) of section 5917
3519.02 of the Revised Code. 5918

(B) The circulator or the committee in charge of an 5919
initiative or referendum petition, or supplementary petition for 5920
additional signatures, for the submission of a constitutional 5921
amendment, proposed law, section, or item of any law shall, 5922
within thirty days after those petition papers are filed, file 5923
with the secretary of state, on a form prescribed by the 5924
secretary of state, an itemized statement, made under penalty of 5925
election falsification, showing in detail the following: 5926

(1) All money or things of value paid, given, promised, or 5927
received for circulating the petitions; 5928

(2) All appointments, promotions, contracts, or increases 5929
in salary pay, in positions which were given, promised, or 5930
received, or to obtain which assistance was given, promised, or 5931
received as a consideration for work done in circulating 5932

petitions; 5933

(3) Full names and addresses, including street, city, and 5934
state, of all persons to whom such payments or promises were 5935
made and of all persons from whom such payments or promises were 5936
received; 5937

(4) Full names and addresses, including street, city, and 5938
state, of all persons who contributed anything of value to be 5939
used in circulating the petitions, and the amounts of those 5940
contributions; 5941

(5) Time spent and ~~salaries pay~~ earned while soliciting 5942
signatures to petitions by persons who were ~~regular salaried~~ 5943
employees or contractors of some person or whom that employer 5944
authorized to solicit as part of their regular duties. 5945

If no money or things of value were paid or received or if 5946
no promises were made or received as a consideration for work 5947
done in circulating a petition, the statement shall contain 5948
words to that effect. 5949

(C) The treasurer designated under division (A) of this 5950
section shall file statements of contributions and expenditures 5951
in accordance with section 3517.10 of the Revised Code regarding 5952
all contributions made or received and all expenditures made by 5953
that treasurer or the circulator or committee in connection with 5954
the initiative or referendum petition, or supplementary petition 5955
for additional signatures, for the submission of a 5956
constitutional amendment, proposed law, section, or item of any 5957
law. 5958

Sec. 3519.02. ~~The~~ (A) As used in this section, 5959
"contribution" and "expenditure" have the same meanings as in 5960
section 3517.01 of the Revised Code. 5961

(B) Before circulating any initiative or referendum 5962
petition, including a petition described in section 3519.01 of 5963
the Revised Code, and before receiving a contribution or making 5964
an expenditure, the petitioners shall ~~designate in any~~ 5965
~~initiative, referendum, or supplementary petition and on each of~~ 5966
~~the several parts of such petition a~~ file with the secretary of 5967
state, on a form prescribed by the secretary of state, a 5968
statement containing all of the following information: 5969

(1) The full names and addresses of a committee of not 5970
less than three nor more than five of ~~their number~~ the 5971
petitioners, who shall represent them in all matters relating to 5972
such petitions. ~~Notice;~~ 5973

(2) The full name and address of the committee's 5974
treasurer; 5975

(3) The full name and address of an agent upon whom notice 5976
of all matters or proceedings pertaining to such petitions may 5977
be served ~~on said committee, or any of them, either personally~~ 5978
~~or by registered mail, or by leaving such notice at the usual~~ 5979
~~place of residence of each of them;~~ 5980

(4) A designation of one or more members or agents of the 5981
committee who consent to testify on behalf of the committee. The 5982
designation may set out the matters on which each person 5983
designated may testify. 5984

(C) The committee promptly shall update the statement 5985
described in division (B) of this section with the secretary of 5986
state if the information in the statement changes during the 5987
time that the committee is circulating the petition. If the law, 5988
constitutional amendment, or referendum is certified to appear 5989
on the ballot, the committee promptly shall update that 5990

information if it changes at any time before the day of the 5991
election. 5992

(D) Each part-petition shall include the names of the 5993
members of the committee and the name and address of the 5994
committee's agent designated under division (B) (3) of this 5995
section as they exist at the time the part-petition is printed. 5996

Sec. 3519.05. (A) If the measure to be submitted proposes 5997
a constitutional amendment, the heading of each part of the 5998
petition shall be prepared in the following form, and printed in 5999
capital letters in type of the approximate size set forth: 6000

"INITIATIVE PETITION 6001

Amendment to the Constitution 6002

Proposed by Initiative Petition 6003

To be submitted directly to the electors" 6004

"Amendment" printed in fourteen-point boldface type shall 6005
precede the title, which shall be briefly expressed and printed 6006
in eight-point type. The summary shall then be set forth printed 6007
in ten-point type, and then shall follow the certification of 6008
the attorney general, under proper date, which shall also be 6009
printed in ten-point type. The petition shall then set forth the 6010
names ~~and addresses~~ of the members of the petition committee ~~of~~ 6011
~~not less than three nor more than five to represent the~~ 6012
~~petitioners in all matters relating to the petition or its~~ 6013
~~circulation~~ designated under section 3519.02 of the Revised Code 6014
and the name and address of the petition committee's agent 6015
designated under division (B) (3) of that section. 6016

Immediately above the heading of the place for signatures 6017
on each part of the petition the following notice shall be 6018

printed in boldface type: 6019

"NOTICE 6020

Whoever knowingly signs this petition more than once; 6021
except as provided in section 3501.382 of the Revised Code, 6022
signs a name other than one's own on this petition; or signs 6023
this petition when not a qualified voter, is liable to 6024
prosecution." 6025

The heading of the place for signatures shall be 6026
substantially as follows: 6027

"(Sign with ink. Your name, residence, and date of signing must 6028
be given.) 6029

6030
6031

	1	2	3	4	5	6	7
A				Rural Route or			
B				other Post-			
C	Signature	County	Township	office Address	Month	Day	Year

(Voters who do not live in a municipal corporation should fill 6032
in the information called for by headings printed above.) 6033
6034

(Voters who reside in municipal corporations should fill in the 6035
information called for by headings printed below.) 6036

6037
6038

	1	2	3	4	5	6	7	8	9
--	---	---	---	---	---	---	---	---	---

I am ~~employed-compensated~~ to circulate this petition by 6063
_____ (Name and address ~~of employer~~). 6064
(The preceding sentence shall be completed as required by 6065
section 3501.38 of the Revised Code if the circulator is being 6066
~~employed-compensated~~ to circulate the petition.) 6067

(Signed) _____ 6068

(Address of circulator's permanent 6069

residence ~~in this state~~) 6070

_____ 6071

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 6072
FELONY OF THE FIFTH DEGREE." 6073

(B) If the measure proposes a law, the heading of each 6074
part of the petition shall be prepared as follows: 6075

"INITIATIVE PETITION 6076

Law proposed by initiative petition first to be submitted 6077
to the General Assembly." 6078

In all other respects, the form shall be as provided for 6079
the submission of a constitutional amendment, except that the 6080
text of the proposed law shall be prefaced by "Be it enacted by 6081
the people of the state of Ohio." 6082

The form for a supplementary initiative petition shall be 6083
the same as that provided for an initiative petition, with the 6084
exception that "supplementary" shall precede "initiative" in the 6085
title thereof. 6086

(C) The general provisions set forth in this section 6087
relative to the form and order of an initiative petition shall 6088
be, so far as practical, applicable to a referendum petition, 6089

the heading of which shall be as follows: 6090

"REFERENDUM PETITION 6091

To be submitted to the electors for their approval or 6092
rejection" 6093

The title, which follows the heading, shall contain a 6094
brief legislative history of the law, section, or item of law to 6095
be referred. The text of the law so referred shall be followed 6096
by the certification of the secretary of state, in accordance 6097
with division (B) (2) (b) of section 3519.01 of the Revised Code, 6098
that it has been compared with the copy of the enrolled act, on 6099
file in the secretary of state's office, containing such law, 6100
section, or item of law, and found to be correct. 6101

(D) The secretary of state shall prescribe a form for part 6102
petitions to be submitted during the ten-day period beginning on 6103
the first day following the date that the secretary of state 6104
notifies the ~~chairperson of the committee interested in the~~ 6105
petition committee's agent that the petition has an insufficient 6106
number of valid signatures. The secretary of state shall provide 6107
to each particular committee a different form that contains a 6108
unique identifier and that is separate from the forms prescribed 6109
in divisions (A), (B), and (C) of this section. The secretary of 6110
state shall make the form available to the committee only as 6111
described in division (F) of section 3519.16 of the Revised 6112
Code. The form shall not be considered a public record until 6113
after the secretary of state makes it available to the committee 6114
under that division. 6115

The form shall comply with the requirements of Section 1g 6116
of Article II, Ohio Constitution and, except as otherwise 6117
provided in this division, with the requirements of divisions 6118

(A), (B), and (C) of this section. 6119

Sec. 3519.16. (A) Pursuant to Section 1g of Article II, 6120
Ohio Constitution, the supreme court of Ohio shall have 6121
exclusive original jurisdiction in all challenges to initiative 6122
and referendum petitions. 6123

(B) The committee interested in a petition shall include 6124
upon each part-petition filed with the secretary of state a 6125
designation of the county in which the part-petition was 6126
circulated and a number for the part-petition. In any county 6127
where part-petitions are circulated, each part-petition shall be 6128
numbered sequentially. The committee shall sort the part- 6129
petitions by county. Upon filing the petition with the secretary 6130
of state, the committee also shall file the following: 6131

(1) An electronic copy of the petition along with a 6132
verification that the electronic copy is a true representation 6133
of the original filed paper petition; 6134

(2) A summary of the number of part-petitions filed per 6135
county, and the number of signatures on each part-petition; 6136

(3) An index of the electronic copy of the petition. 6137

(C) From the time the petition is initially filed with the 6138
secretary of state and until the part-petitions are returned to 6139
the secretary of state by the boards of elections after a 6140
determination of sufficiency under section 3519.15 of the 6141
Revised Code, any request for the inspection or copying of the 6142
original petition filed with the secretary of state under 6143
Chapter 149. of the Revised Code is fulfilled if the secretary 6144
of state permits the inspection of or provides copies of the 6145
electronic copy of the petition filed by the circulator. 6146

(D) Discrepancies between the electronic copy of a 6147

petition filed under division (B)(1) of this section and the 6148
original paper petition filed with the secretary of state shall 6149
not render the petition invalid. Such discrepancies, if the 6150
product of fraud, shall be subject to criminal penalties under 6151
section 3599.36 of the Revised Code. 6152

(E) The properly verified part-petitions, together with an 6153
electronic copy of the part-petitions, shall be returned to the 6154
secretary of state not less than one hundred ten days before the 6155
election, provided that, in the case of an initiated law to be 6156
presented to the general assembly, the boards shall promptly 6157
check and return the petitions together with their report. The 6158
secretary of state shall determine the sufficiency of the 6159
signatures not later than one hundred five days before the 6160
election. The secretary of state promptly shall notify the 6161
~~chairperson of the committee in charge of the circulation-~~ 6162
petition committee's agent as to the sufficiency or 6163
insufficiency of the petition and the extent of the 6164
insufficiency. 6165

(F) If the petition is found insufficient because of an 6166
insufficient number of valid signatures, the committee shall be 6167
allowed ten additional days after the notification by the 6168
secretary of state for the collection and filing of additional 6169
signatures to the petition. When the secretary of state makes 6170
that notification, the secretary of state simultaneously shall 6171
provide the ~~chairperson-~~petition committee's agent with both a 6172
paper copy and an electronic copy of the unique petition form 6173
described in division (D) of section 3519.05 of the Revised 6174
Code. At that time, the secretary of state also shall make the 6175
form available to the public on the secretary of state's 6176
official web site and shall transmit the form electronically to 6177
the boards of elections. Upon request, a board of elections 6178

shall provide a paper or electronic copy of the form to any 6179
person. 6180

No additional signatures shall be collected or submitted 6181
to the secretary of state by the committee interested in the 6182
petition, or by any person acting on behalf of the committee, 6183
during the period beginning on the date that the petition is 6184
initially submitted to the secretary of state and ending on the 6185
date that the secretary of state notifies the ~~chairperson of the~~ 6186
~~committee~~ petition committee's agent that the petition has an 6187
insufficient number of valid signatures. If the committee, or 6188
any person acting on behalf of the committee, submits additional 6189
signatures, the signatures must be on the form provided by the 6190
secretary of state under this division and only signatures that 6191
were signed and collected during the ten-day period to collect 6192
and submit additional signatures may be submitted. 6193

If additional signatures are filed, the secretary of state 6194
shall determine the sufficiency of those additional signatures 6195
not later than sixty-five days before the election. The part- 6196
petitions of the supplementary petition that appear to the 6197
secretary of state to be properly verified, upon their receipt 6198
by the secretary of state, shall forthwith be forwarded to the 6199
boards of the several counties together with the part-petitions 6200
of the original petition that have been properly verified. They 6201
shall be immediately examined and passed upon as to the validity 6202
and sufficiency of the signatures on them by each of the boards 6203
and returned within eight days to the secretary of state with 6204
the report of each board. No signature on a supplementary part- 6205
petition that is the same as a signature on an original part- 6206
petition shall be counted. The number of signatures in both the 6207
original and supplementary petitions, properly verified, shall 6208
be used by the secretary of state in determining the total 6209

number of signatures to the petition that the secretary of state 6210
shall record and announce. If they are sufficient, the 6211
amendment, proposed law, or law shall be placed on the ballot as 6212
required by law. If the petition is found insufficient, the 6213
secretary of state shall notify the committee in charge of the 6214
circulation of the petition. 6215

Sec. 3599.12. (A) No person shall do any of the following: 6216

(1) Vote or attempt to vote in any primary, special, or 6217
general election in a precinct in which that person is not a 6218
legally qualified elector; 6219

(2) Vote or attempt to vote more than once at the same 6220
election by any means, ~~including voting or attempting to vote~~ 6221
~~both by absent voter's ballots under division (C) of section~~ 6222
~~3503.16 of the Revised Code and by regular ballot at the polls~~ 6223
~~at the same election, or voting or attempting to vote both by~~ 6224
~~absent voter's ballots under division (C) of section 3503.16 of~~ 6225
~~the Revised Code and by absent voter's ballots under Chapter~~ 6226
~~3509. or armed service absent voter's ballots under Chapter~~ 6227
~~3511. of the Revised Code at the same election;~~ 6228

(3) Impersonate or sign the name of another person, real 6229
or fictitious, living or dead, and vote or attempt to vote as 6230
that other person in any such election; 6231

(4) Cast a ballot at any such election after objection has 6232
been made and sustained to that person's vote; 6233

(5) Knowingly vote or attempt to vote a ballot other than 6234
the official ballot. 6235

(B) Whoever violates division (A) of this section is 6236
guilty of a felony of the fourth degree. 6237

Sec. 3599.21. (A) No person shall knowingly do any of the 6238
following: 6239

(1) Impersonate another, or make a false representation in 6240
order to obtain an absent voter's ballot; 6241

(2) Aid or abet a person to vote an absent voter's ballot 6242
illegally; 6243

(3) If the person is an election official, open, destroy, 6244
steal, mark, or mutilate any absent voter's ballot; 6245

(4) Aid or abet another person to open, destroy, steal, 6246
mark, or mutilate any absent voter's ballot after the ballot has 6247
been voted; 6248

(5) Delay the delivery of any absent voter's ballot with a 6249
view to preventing its arrival in time to be counted; 6250

(6) Hinder or attempt to hinder the delivery or counting 6251
of such absent voter's ballot; 6252

(7) Fail to forward to the appropriate election official 6253
an absent voter's ballot application entrusted to that person to 6254
so forward; 6255

(8) Fail to forward to the appropriate election official 6256
an absent voter's ballot application entrusted to that person to 6257
so forward within ten days after that application is completed 6258
or within such a time period that the failure to so forward the 6259
application disenfranchises the voter with respect to a 6260
particular election, whichever is earlier; 6261

(9) Return the absent voter's ballot of another to the 6262
office of a board of elections, unless either of the following 6263
apply: 6264

(a) The person is ~~a relative~~ an assistant who is 6265
authorized to do so under division ~~(C) (1)~~ (D) (2), (3), or (4) of 6266
section 3509.05 of the Revised Code; 6267

(b) The person is, and is acting as, an employee or 6268
contractor of the United States postal service or a private 6269
carrier. 6270

(10) Except as authorized under Chapters 3509. and 3511. 6271
of the Revised Code, possess the absent voter's ballot of 6272
another. 6273

(B) (1) Subject to division (B) (2) of this section, no 6274
person who receives compensation for soliciting persons to apply 6275
to vote by absent voter's ballots shall fail to forward to the 6276
appropriate election official an absent voter's ballot 6277
application entrusted to that person to so forward within ten 6278
days after that application is completed. 6279

(2) No person who receives compensation for soliciting 6280
persons to apply to vote by absent voter's ballots shall fail to 6281
forward to the appropriate election official an absent voter's 6282
ballot application entrusted to that person to so forward within 6283
such a time period that the failure to so forward the 6284
application disenfranchises the voter with respect to a 6285
particular election. 6286

(C) Whoever violates division (A) or (B) of this section 6287
is guilty of a felony of the fourth degree. 6288

(D) As used in this section, "person who receives 6289
compensation for soliciting persons to apply to vote by absent 6290
voter's ballots" includes any effort, for compensation, to 6291
provide absent voter's ballot applications or to assist persons 6292
in completing those applications or returning them to the 6293

director of the board of elections of the county in which the 6294
applicant's voting residence is located. 6295

Sec. 4301.33. (A) The board of elections shall provide to 6296
a petitioner circulating a petition for an election for the 6297
submission of one or more of the questions specified in section 6298
4301.35 or 4301.351 of the Revised Code, at the time of taking 6299
out the petition, both of the following: 6300

(1) The names of the streets and, if appropriate, the 6301
address numbers of residences and business establishments within 6302
the precinct in which the election is sought; 6303

(2) A form prescribed by the secretary of state for 6304
notifying affected permit holders and liquor agency stores of 6305
the circulation of a petition for an election for the submission 6306
of one or more of the questions specified in section 4301.35 or 6307
4301.351 of the Revised Code. 6308

The petitioner shall, not less than fifty-five days before 6309
the petition-filing deadline for the election, as provided in 6310
this section, file with the division of liquor control the 6311
information regarding names of streets and, if appropriate, 6312
address numbers of residences and business establishments 6313
provided by the board of elections, and specify to the division 6314
the precinct that is concerned and that would be affected by the 6315
results of the election and the filing deadline. The division 6316
shall, within a reasonable period of time and not later than 6317
twenty-five days before the filing deadline, supply the 6318
petitioner with a list of the names and addresses of permit 6319
holders and liquor agency stores, if any, that would be affected 6320
by the election. The list shall contain a heading with the 6321
following words: "Liquor permit holders and liquor agency stores 6322
that would be affected by the question(s) set forth on petition 6323

for a local option election." 6324

Within five days after a petitioner has received from the 6325
division the list of liquor permit holders and liquor agency 6326
stores, if any, that would be affected by the question or 6327
questions set forth on a petition for local option election, the 6328
petitioner shall, using the form provided by the board of 6329
elections, notify by certified mail each permit holder and 6330
liquor agency store whose name appears on that list. The form 6331
for notifying affected permit holders and liquor agency stores 6332
shall require the petitioner to state the petitioner's name and 6333
street address and shall contain a statement that a petition is 6334
being circulated for an election for the submission of the 6335
question or questions specified in section 4301.35 or 4301.351 6336
of the Revised Code. The form shall require the petitioner to 6337
state the question or questions to be submitted as they appear 6338
on the petition. 6339

The petitioner shall attach a copy of the list provided by 6340
the division to each petition paper. A part petition paper 6341
circulated at any time without the list of affected permit 6342
holders and liquor agency stores attached to it is invalid. 6343

At the time the petitioner files the petition with the 6344
board of elections, the petitioner shall provide to the board 6345
the list supplied by the division and an affidavit certifying 6346
that the petitioner notified all affected permit holders and 6347
liquor agency stores, if any, on the list in the manner and 6348
within the time required in this section and that, at the time 6349
each signer of the petition affixed the signer's signature to 6350
the petition, the petition paper contained a copy of the list of 6351
affected permit holders and liquor agency stores. 6352

Within five days after receiving a petition, the board 6353

shall give notice by certified mail that it has received the 6354
petition to all liquor permit holders and liquor agency stores, 6355
if any, whose names appear on the list of affected permit 6356
holders and liquor agency stores filed by the petitioner. 6357
Failure of the petitioner to supply the affidavit required by 6358
this section and a complete and accurate list of liquor permit 6359
holders and liquor agency stores, if any, invalidates the entire 6360
petition. The board of elections shall provide to a permit 6361
holder or liquor agency store that would be affected by a 6362
proposed local option election, on the permit holder's or liquor 6363
agency store's request, the names of the streets, and, if 6364
appropriate, the address numbers of residences and business 6365
establishments within the precinct in which the election is 6366
sought that would be affected by the results of the election. 6367
The board may charge a reasonable fee for this information when 6368
provided to the petitioner and the permit holder or liquor 6369
agency store. 6370

(B) The petitioner shall present the petition to the board 6371
of elections of the county where the precinct is located not 6372
later than four p.m. of the ninetieth day before the day of a 6373
general election or a special election held on a day on which a 6374
primary election may be held. The petitioner shall ensure that 6375
the petition designates whether it is a petition for an election 6376
for the submission of one or more of the questions specified in 6377
section 4301.35 of the Revised Code, or a petition for the 6378
submission of one or more of the questions specified in section 6379
4301.351 of the Revised Code. The petitioner also shall ensure 6380
that the petition designates the particular question or 6381
questions specified in section 4301.35 or 4301.351 of the 6382
Revised Code that are to be submitted. The petition shall be 6383
signed by the number of qualified electors of the precinct 6384

concerned as specified in division (C) of this section. 6385

The board shall submit the question or questions specified 6386
in the petition to the electors of the precinct concerned, on 6387
the day of the next general election or the next special 6388
election held on a day on which a primary election may be held, 6389
whichever occurs first and shall proceed as follows: 6390

(1) Such board shall, not later than the seventy-eighth 6391
day before the day of the election for which the question or 6392
questions on the petition would qualify for submission to the 6393
electors of the precinct, examine and determine the sufficiency 6394
of the signatures and review, examine, and determine the 6395
validity of the petition and, in case of overlapping precinct 6396
petitions presented within that period, determine which of the 6397
petitions shall govern the further proceedings of the board. In 6398
the case where the board determines that two or more overlapping 6399
petitions are valid, the earlier filed petition shall govern. 6400
The board shall certify the sufficiency and validity of any 6401
petition determined to be valid. The board shall determine the 6402
validity of the petition as of the time of certification as 6403
described in this division. 6404

(2) If a petition is sufficient, and, in case of 6405
overlapping precinct petitions, after the board has determined 6406
the governing petition, the board to which the petition has been 6407
presented shall order the holding of a special election in the 6408
precinct for the submission of whichever of the questions 6409
specified in section 4301.35 or 4301.351 of the Revised Code are 6410
designated in the petition, on the day of the next general 6411
election or the next special election held on a day on which a 6412
primary election may be held, whichever occurs first. 6413

(3) All petitions filed with a board of elections under 6414

this section shall be open to public inspection under rules 6415
adopted by the board. 6416

(4) Protest against local option petitions may be filed by 6417
any elector eligible to vote on the question or questions 6418
described in the petitions or by a permit holder or liquor 6419
agency store in the precinct as described in the petitions, not 6420
later than four p.m. of the seventy-fourth day before the day of 6421
the general or special election for which the petition 6422
qualified. The protest shall be in writing and shall be filed 6423
with the election officials with whom the petition was filed in 6424
accordance with section 3501.391 of the Revised Code. Upon 6425
filing of the protest, the election officials with whom it is 6426
filed shall ~~promptly fix the time for hearing it, and shall mail~~ 6427
~~notice of the filing of the protest and the time and place for~~ 6428
~~hearing it to the person who filed the petition and to the~~ 6429
~~person who filed the protest. At the time and place fixed, the~~ 6430
~~election officials shall hear the protest and determine the~~ 6431
~~validity of the petition~~ proceed in accordance with that 6432
section. 6433

(C) A petition presented to a board of elections under 6434
division (B) of this section shall be signed by the following 6435
number of qualified electors: 6436

(1) If the petition is for an election for the submission 6437
of one or more of the questions specified in section 4301.35 of 6438
the Revised Code, an amount of qualified electors of the 6439
precinct equal in number to thirty-five per cent of the total 6440
number of votes cast in the precinct concerned for the office of 6441
governor at the preceding general election for that office; 6442

(2) If the petition is for an election for the submission 6443
of one or more of the questions specified in section 4301.35 of 6444

the Revised Code and the submission of one or more of the 6445
questions specified in section 4301.351 of the Revised Code, an 6446
amount of qualified electors of the precinct equal in number to 6447
thirty-five per cent of the total number of votes cast in the 6448
precinct concerned for the office of governor at the preceding 6449
general election for that office; 6450

(3) If the petition is for an election for the submission 6451
of one or more of the questions specified in section 4301.351 of 6452
the Revised Code, fifty electors. 6453

Sec. 4301.331. (A) The privilege of local option conferred 6454
by section 4301.321 of the Revised Code shall be exercised if a 6455
certified copy of the judgment issued pursuant to division (D) 6456
or (E) of section 3767.05 of the Revised Code that is the basis 6457
for the exercise of the local option privilege is filed pursuant 6458
to division (G) of section 3767.05 of the Revised Code 6459
indicating that a liquor permit premises has been adjudged a 6460
nuisance. The certified copy of the judgment shall be filed in 6461
accordance with this section by the person or public official 6462
who brought the action under section 3763.03 of the Revised 6463
Code. 6464

(B) The certified copy of the judgment prescribed under 6465
division (A) of this section shall be filed with the board of 6466
elections of the county in which the nuisance was adjudged to 6467
exist pursuant to division (D) or (E) of section 3767.05 of the 6468
Revised Code not later than four p.m. of the ninetieth day 6469
before the day of the next general election or the next special 6470
election held on a day on which a primary election may be held. 6471

(C) The statement prescribed under division (A) of this 6472
section shall contain both of the following: 6473

(1) A notice that the statement is for the submission of 6474
the question set forth in section 4301.352 of the Revised Code; 6475

(2) The name of a class C or D permit holder and the 6476
address of the permit holder's permit premises. If the business 6477
conducted by a class C or D permit holder at the permit premises 6478
has a name different from the permit holder's personal or 6479
corporate name, the name of the permit holder's business shall 6480
be stated along with the permit holder's personal or corporate 6481
name. 6482

(D) Not later than five days after the certified copy of 6483
the judgment prescribed under division (A) of this section is 6484
filed, the board shall give notice by certified mail that it has 6485
received the certified copy of the judgment to the liquor permit 6486
holder whose permit would be affected by the results of the 6487
election required by the filing of the certified copy of the 6488
judgment. Failure of the petitioner to supply a complete and 6489
accurate address of the liquor permit holder to the board of 6490
elections invalidates the election. 6491

For purposes of this section, "complete and accurate 6492
address" means all of the following: 6493

(1) The address of the liquor permit premises; 6494

(2) The address of the statutory agent of the liquor 6495
permit holder, if applicable; 6496

(3) The address of the liquor permit holder if different 6497
from the liquor permit premises address. 6498

(E) Not later than the seventy-eighth day before the day 6499
of the next general election or the next special election held 6500
on a day on which a primary election may be held, whichever 6501
occurs first, the board shall certify the sufficiency and 6502

validity of the certified copy of the judgment, make such 6503
determination as of the time of certification, and order the 6504
holding of an election in the precinct on the day of that 6505
general or special election for the submission of the question 6506
set forth in section 4301.352 of the Revised Code. 6507

(F) A certified copy of the judgment filed with the board 6508
of elections under division (A) of this section shall be open to 6509
public inspection under rules adopted by the board. 6510

An elector who is eligible to vote on the question set 6511
forth in section 4301.352 of the Revised Code or the permit 6512
holder named on the certified copy of the judgment, not later 6513
than four p.m. of the seventy-fourth day before the day of the 6514
election at which the question will be submitted to the 6515
electors, may file a protest against a local option petition in 6516
accordance with section 3501.391 of the Revised Code. The 6517
protest shall be in writing and shall be filed with the election 6518
officials with whom the certified copy of the judgment was 6519
filed. Upon the filing of the protest, the election officials 6520
with whom it is filed shall ~~promptly fix a time and place for~~ 6521
~~hearing the protest, and shall mail notice of the time and place~~ 6522
~~for hearing it to the person who filed the certified copy of the~~ 6523
~~judgment and to the person who filed the protest. At the time~~ 6524
~~and place fixed, the election officials shall hear the protest~~ 6525
~~and determine the validity of the certified copy of the judgment~~ 6526
proceed in accordance with that section. 6527

Sec. 4301.332. (A) The board of elections shall provide to 6528
a petitioner circulating a petition for an election for the 6529
submission of one or more of the questions specified in section 6530
4301.353 or 4301.354 of the Revised Code, at the time of taking 6531
out the petition, both of the following: 6532

(1) The names of the streets and, if appropriate, the address numbers of residences and business establishments within the precinct that would be affected by the results of the election;

(2) A form prescribed by the secretary of state for notifying affected permit holders of the circulation of a petition for an election for the submission of one or more of the questions specified in section 4301.353 or 4301.354 of the Revised Code.

The petitioner shall, not less than fifty-five days before the petition-filing deadline for the election, as provided in this section, file with the division of liquor control the information regarding names of streets and, if appropriate, address numbers of residences and business establishments provided by the board of elections, and specify to the division the portion of the precinct that would be affected by the results of the election and the filing deadline. The division shall, within a reasonable period of time and not later than twenty-five days before the filing deadline, supply the petitioner with a list of the names and addresses of permit holders, if any, who would be affected by the election. The list shall contain a heading with the following words: "Liquor permit holders who would be affected by the question(s) set forth on petition for a local option election."

Within five days after a petitioner has received from the division the list of liquor permit holders, if any, who would be affected by the question or questions set forth on a petition for local option election, the petitioner, using the form provided by the board of elections, shall notify by certified mail each permit holder whose name appears on that list. The

form for notifying affected permit holders shall require the 6563
petitioner to state the petitioner's name and street address and 6564
shall contain a statement that a petition is being circulated 6565
for an election for the submission of the question or questions 6566
specified in section 4301.353 or 4301.354 of the Revised Code. 6567
The form shall require the petitioner to state the question or 6568
questions to be submitted as they appear on the petition. 6569

The petitioner shall attach a copy of the list provided by 6570
the division to each petition paper. A part petition paper 6571
circulated at any time without the list of affected permit 6572
holders attached to it is invalid. 6573

At the time the petitioner files the petition with the 6574
board of elections, the petitioner shall provide to the board 6575
the list supplied by the division and an affidavit certifying 6576
that the petitioner notified all affected permit holders, if 6577
any, on the list in the manner and within the time required in 6578
this section and that, at the time each signer of the petition 6579
affixed the signer's signature to the petition, the petition 6580
paper contained a copy of the list of affected permit holders. 6581

Within five days after receiving a petition, the board 6582
shall give notice by certified mail that it has received the 6583
petition to all liquor permit holders, if any, whose names 6584
appear on the list of affected permit holders filed by the 6585
petitioner as furnished by the division. Failure of the 6586
petitioner to supply the affidavit required by this section and 6587
a complete and accurate list of liquor permit holders as 6588
furnished by the division invalidates the entire petition. The 6589
board of elections shall provide to a permit holder who would be 6590
affected by a proposed local option election, on the permit 6591
holder's request, the names of the streets, and, if appropriate, 6592

the address numbers of residences and business establishments 6593
within the portion of the precinct that would be affected by the 6594
results of the election. The board may charge a reasonable fee 6595
for this information when provided to the petitioner and the 6596
permit holder. 6597

This division does not apply to an election held under 6598
section 4301.353 or 4301.354 of the Revised Code if the results 6599
of the election would not affect any permit holder. 6600

(B) The petitioner shall present the petition to the board 6601
of elections of the county where the precinct is located not 6602
later than four p.m. of the ninetieth day before the day of a 6603
general election or a special election held on a day on which a 6604
primary election may be held. The petitioner shall ensure that 6605
the petition designates whether it is a petition for an election 6606
for the submission of one or both of the questions specified in 6607
section 4301.353 of the Revised Code or a petition for the 6608
submission of one or more of the questions specified in section 6609
4301.354 of the Revised Code. The petitioner also shall ensure 6610
that the petition designates the particular question or 6611
questions specified in section 4301.353 or 4301.354 of the 6612
Revised Code that are to be submitted. The petition shall be 6613
signed by the number of qualified electors of the precinct 6614
concerned as required in division (E) of this section. 6615

The board shall submit the question or questions specified 6616
in the petition to the electors of the precinct concerned, on 6617
the day of the next general election or the next special 6618
election held on a day on which a primary election may be held, 6619
whichever occurs first and shall proceed as follows: 6620

(1) Such board shall, not later than the seventy-eighth 6621
day before the day of the election for which the question or 6622

questions on the petition would qualify for submission to the 6623
electors of the precinct, examine and determine the sufficiency 6624
of the signatures and review, examine, and determine the 6625
validity of the petition and, in case of overlapping precinct 6626
petitions presented within that period, determine which of the 6627
petitions shall govern the further proceedings of the board. In 6628
the case where the board determines that two or more overlapping 6629
petitions are valid, the earlier filed petition shall govern. 6630
The board shall certify the sufficiency and validity of any 6631
petition determined to be valid. The board shall determine the 6632
validity of the petition as of the time of certification as 6633
described in this division. 6634

(2) If a petition is sufficient, and, in case of 6635
overlapping precinct petitions, after the board has determined 6636
the governing petition, the board to which the petition has been 6637
presented shall order the holding of a special election in the 6638
precinct for the submission of whichever of the questions 6639
specified in section 4301.353 or 4301.354 of the Revised Code 6640
are designated in the petition, on the day of the next general 6641
election or the next special election held on a day on which a 6642
primary election may be held, whichever occurs first. 6643

(C) All petitions filed with a board of elections under 6644
this section shall be open to public inspection under rules 6645
adopted by the board. 6646

(D) Protest against local option petitions may be filed by 6647
any elector eligible to vote on the question or questions 6648
described in the petitions or by a permit holder in the precinct 6649
as described in the petitions, not later than four p.m. of the 6650
seventy-fourth day before the day of the general or special 6651
election for which the petition qualified in accordance with 6652

section 3501.391 of the Revised Code. The protest shall be in 6653
writing and shall be filed with the election officials with whom 6654
the petition was filed. Upon filing of the protest, the election 6655
officials with whom it is filed shall ~~promptly fix the time for~~ 6656
~~hearing it, and shall mail notice of the filing of the protest~~ 6657
~~and the time and place for hearing it to the person who filed~~ 6658
~~the petition and to the person who filed the protest. At the~~ 6659
~~time and place fixed, the election officials shall hear the~~ 6660
~~protest and determine the validity of the petition~~ proceed in 6661
accordance with that section. 6662

(E) A petition presented to a board of elections under 6663
division (B) of this section shall be signed by the following 6664
number of qualified electors: 6665

(1) If the petition is for an election for the submission 6666
of one or both of the questions specified in section 4301.353 of 6667
the Revised Code, an amount of qualified electors of the 6668
precinct equal in number to thirty-five per cent of the total 6669
number of votes cast in the precinct concerned for the office of 6670
governor at the preceding general election for that office; 6671

(2) If the petition is for an election for the submission 6672
of one or both of the questions specified in section 4301.353 of 6673
the Revised Code and the submission of one or more of the 6674
questions specified in section 4301.354 of the Revised Code, an 6675
amount of qualified electors of the precinct equal in number to 6676
thirty-five per cent of the total number of votes cast in the 6677
precinct concerned for the office of governor at the preceding 6678
general election for that office; 6679

(3) If the petition is for an election for the submission 6680
of one or more of the questions specified in section 4301.354 of 6681
the Revised Code only, fifty electors. 6682

Sec. 4301.333. (A) The privilege of local option conferred 6683
by section 4301.323 of the Revised Code may be exercised if, not 6684
later than four p.m. of the ninetieth day before the day of a 6685
general election or a special election held on a day on which a 6686
primary election may be held, a petition is presented to the 6687
board of elections of the county in which the precinct is 6688
situated by a petitioner who is one of the following: 6689

(1) An applicant for the issuance or transfer of a liquor 6690
permit at, or to, a particular location within the precinct; 6691

(2) The holder of a liquor permit at a particular location 6692
within the precinct; 6693

(3) A person who operates or seeks to operate a liquor 6694
agency store at a particular location within the precinct; 6695

(4) The designated agent for an applicant, liquor permit 6696
holder, or liquor agency store described in division (A) (1), 6697
(2), or (3) of this section. 6698

(B) If the petition is for the submission of the question 6699
specified in division (B) (1) of section 4301.355 of the Revised 6700
Code or both questions specified in divisions (B) (1) and (2) of 6701
that section, the petition shall be signed by the electors of 6702
the precinct equal in number to at least thirty-five per cent of 6703
the total number of votes cast in the precinct for the office of 6704
governor at the preceding general election for that office. If 6705
the petition is solely for the submission of the question 6706
specified in division (B) (2) of section 4301.355 of the Revised 6707
Code, the petition shall be signed by fifty electors. 6708

The petition shall contain all of the following: 6709

(1) A notice that the petition is for the submission of 6710
the question or questions set forth in section 4301.355 of the 6711

Revised Code; 6712

(2) The name of the applicant for the issuance or 6713
transfer, or the holder, of the liquor permit or, if applicable, 6714
the name of the liquor agency store, including any trade or 6715
fictitious names under which the applicant, holder, or liquor 6716
agency store either intends to do or does business at the 6717
particular location; 6718

(3) The address and proposed use of the particular 6719
location within the election precinct to which the results of 6720
the question or questions specified in section 4301.355 of the 6721
Revised Code shall apply. For purposes of this division, "use" 6722
means all of the following: 6723

(a) The type of each liquor permit applied for by the 6724
applicant or held by the liquor permit holder as described in 6725
sections 4303.11 to 4303.183 of the Revised Code, including a 6726
description of the type of beer or intoxicating liquor sales 6727
authorized by each permit as provided in those sections; 6728

(b) If a liquor agency store, the fact that the business 6729
operated as a liquor agency store authorized to operate by this 6730
state; 6731

(c) A description of the general nature of the business of 6732
the applicant, liquor permit holder, or liquor agency store. 6733

(C) (1) At the time the petitioner files the petition with 6734
the board of elections, the petitioner shall provide to the 6735
board both of the following: 6736

(a) An affidavit that is signed by the petitioner and that 6737
states the proposed use of the location following the election 6738
held to authorize the sale of beer or intoxicating liquor 6739
authorized by each permit as provided in sections 4303.11 to 6740

4303.183 of the Revised Code; 6741

(b) Written evidence of the designation of an agent by the 6742
applicant, liquor permit holder, or liquor agency store 6743
described in division (A)(1), (2), or (3) of this section for 6744
the purpose of petitioning for the local option election, if the 6745
petitioner is the designated agent of the applicant, liquor 6746
permit holder, or liquor agency store. 6747

(2) Failure to supply the affidavit, or the written 6748
evidence of the designation of the agent if the petitioner for 6749
the local option election is the agent of the applicant, liquor 6750
permit holder, or liquor agency store described in division (A) 6751
(1), (2), or (3) of this section, at the time the petition is 6752
filed invalidates the entire petition. 6753

(D) Not later than the seventy-eighth day before the day 6754
of the next general election or the next special election held 6755
on a day on which a primary election may be held, whichever 6756
occurs first, the board shall examine and determine the 6757
sufficiency of the signatures and the validity of the petition. 6758
If the board finds that the petition contains sufficient 6759
signatures and in other respects is valid, it shall order the 6760
holding of an election in the precinct on the day of the next 6761
general election or the next special election held on a day on 6762
which a primary election may be held, whichever occurs first, 6763
for the submission of the question or questions set forth in 6764
section 4301.355 of the Revised Code. 6765

(E) A petition filed with the board of elections under 6766
this section shall be open to public inspection under rules 6767
adopted by the board. 6768

(F) An elector who is eligible to vote on the question or 6769

questions set forth in section 4301.355 of the Revised Code may 6770
file, not later than four p.m. of the seventy-fourth day before 6771
the day of the election at which the question or questions will 6772
be submitted to the electors, a protest against a local option 6773
petition circulated and filed pursuant to this section in 6774
accordance with section 3501.391 of the Revised Code. The 6775
protest shall be in writing and shall be filed with the election 6776
officials with whom the petition was filed. Upon the filing of 6777
the protest, the election officials with whom it is filed shall- 6778
~~promptly establish a time and place for hearing the protest and~~ 6779
~~shall mail notice of the time and place for the hearing to the~~ 6780
~~applicant for, or the holder of, the liquor permit who is~~ 6781
~~specified in the petition and to the elector who filed the~~ 6782
~~protest. At the time and place established in the notice, the~~ 6783
~~election officials shall hear the protest and determine the~~ 6784
~~validity of the petition proceed in accordance with that~~ 6785
section. 6786

Sec. 4301.334. (A) The privilege of local option conferred 6787
by section 4301.324 of the Revised Code may be exercised if, not 6788
later than four p.m. of the ninetieth day before the day of a 6789
general election or a special election held on a day on which a 6790
primary election may be held, a petition and other information 6791
required by division (B) of this section are presented to the 6792
board of elections of the county in which the community facility 6793
named in the petition is located. The petition shall be signed 6794
by electors of the municipal corporation or unincorporated area 6795
of the township in which the community facility is located equal 6796
in number to at least ten per cent of the total number of votes 6797
cast in the municipal corporation or unincorporated area of the 6798
township in which the community facility is located for the 6799
office of governor at the most recent general election for that 6800

office and shall contain both of the following: 6801

(1) A notice that the petition is for the submission of 6802
the question set forth in section 4301.356 of the Revised Code; 6803

(2) The name and address of the community facility for 6804
which the local option election is sought and, if the community 6805
facility is a community entertainment district, the boundaries 6806
of the district. 6807

(B) Upon the request of a petitioner, a board of elections 6808
of a county shall furnish to the petitioner a copy of the 6809
instructions prepared by the secretary of state under division 6810
(P) of section 3501.05 of the Revised Code and, within fifteen 6811
days after the request, a certificate indicating the number of 6812
valid signatures that will be required on a petition to hold an 6813
election in the municipal corporation or unincorporated area of 6814
the township in which the community facility is located on the 6815
question specified in section 4301.356 of the Revised Code. 6816

The petitioner shall, not less than thirty days before the 6817
petition-filing deadline for an election on the question 6818
specified in section 4301.356 of the Revised Code, specify to 6819
the division of liquor control the name and address of the 6820
community facility for which the election is sought and, if the 6821
community facility is a community entertainment district, the 6822
boundaries of the district, the municipal corporation or 6823
unincorporated area of a township in which the election is 6824
sought, and the filing deadline. The division shall, within a 6825
reasonable period of time and not later than ten days before the 6826
filing deadline, supply the petitioner with the name and address 6827
of any permit holder for or within the community facility. 6828

The petitioner shall file the name and address of any 6829

permit holder who would be affected by the election at the time 6830
the petitioner files the petition with the board of elections. 6831
Within five days after receiving the petition, the board shall 6832
give notice by certified mail to any permit holder within the 6833
community facility that it has received the petition. Failure of 6834
the petitioner to supply the name and address of any permit 6835
holder for or within the community facility as furnished to the 6836
petitioner by the division invalidates the petition. 6837

(C) Not later than the seventy-eighth day before the day 6838
of the next general election or the next special election held 6839
on a day on which a primary election may be held, whichever 6840
occurs first, the board shall examine and determine the 6841
sufficiency of the signatures on the petition. If the board 6842
finds that the petition is valid, it shall order the holding of 6843
an election in the municipal corporation or unincorporated area 6844
of a township on the day of the next general election or the 6845
next special election held on a day on which a primary election 6846
may be held, whichever occurs first, for the submission of the 6847
question set forth in section 4301.356 of the Revised Code. 6848

(D) A petition filed with a board of elections under this 6849
section shall be open to public inspection under rules adopted 6850
by the board. 6851

(E) An elector who is eligible to vote on the question set 6852
forth in section 4301.356 of the Revised Code or any permit 6853
holder for or within the community facility may, not later than 6854
four p.m. of the seventy-fourth day before the day of the 6855
election at which the question will be submitted to the 6856
electors, file a written protest against the local option 6857
petition with the board of elections with which the petition was 6858
filed in accordance with section 3501.391 of the Revised Code. 6859

Upon the filing of the protest, the board shall ~~promptly fix a~~ 6860
~~time and place for hearing the protest and shall mail notice of~~ 6861
~~the time and place to the person who filed the petition and to~~ 6862
~~the person who filed the protest. At the time and place fixed,~~ 6863
~~the board shall hear the protest and determine the validity of~~ 6864
~~the petition~~ proceed in accordance with that section. 6865

Sec. 4305.14. (A) The following questions regarding the 6866
sale of beer by holders of C or D permits may be presented to 6867
the qualified electors of an election precinct: 6868

(1) "Shall the sale of beer as defined in section 4305.08 6869
of the Revised Code under permits which authorize sale for off- 6870
premises consumption only be permitted within this precinct?" 6871

(2) "Shall the sale of beer as defined in section 4305.08 6872
of the Revised Code under permits which authorize sale for on- 6873
premises consumption only, and under permits which authorize 6874
sale for both on-premises and off-premises consumption, be 6875
permitted in this precinct?" 6876

The exact wording of the question as submitted and form of 6877
ballot as printed shall be determined by the board of elections 6878
in the county wherein the election is held, subject to approval 6879
of the secretary of state. 6880

Upon the request of an elector, a board of elections of a 6881
county that encompasses an election precinct shall furnish to 6882
the elector a copy of the instructions prepared by the secretary 6883
of state under division (P) of section 3501.05 of the Revised 6884
Code and, within fifteen days after the request, with a 6885
certificate indicating the number of valid signatures that will 6886
be required on a petition to hold a special election in that 6887
precinct on either or both of the questions specified in this 6888

section. 6889

The board shall provide to a petitioner, at the time the 6890
petitioner takes out a petition, the names of the streets and, 6891
if appropriate, the address numbers of residences and business 6892
establishments within the precinct in which the election is 6893
sought, and a form prescribed by the secretary of state for 6894
notifying affected permit holders of the circulation of a 6895
petition for an election for the submission of one or more of 6896
the questions specified in division (A) of this section. The 6897
petitioner shall, not less than fifty-five days before the 6898
petition-filing deadline for an election provided for in this 6899
section, file with the division of liquor control the 6900
information regarding names of streets and, if appropriate, 6901
address numbers of residences and business establishments 6902
provided by the board of elections, and specify to the division 6903
the precinct that is concerned or that would be affected by the 6904
results of the election and the filing deadline. The division 6905
shall, within a reasonable period of time and not later than 6906
twenty-five days before the filing deadline, supply the 6907
petitioner with a list of the names and addresses of permit 6908
holders who would be affected by the election. The list shall 6909
contain a heading with the following words: "liquor permit 6910
holders who would be affected by the question(s) set forth on a 6911
petition for a local option election." 6912

Within five days after receiving from the division the 6913
list of liquor permit holders who would be affected by the 6914
question or questions set forth on a petition for local option 6915
election, the petitioner shall, using the form provided by the 6916
board of elections, notify by certified mail each permit holder 6917
whose name appears on that list. The form for notifying affected 6918
permit holders shall require the petitioner to state the 6919

petitioner's name and street address and shall contain a 6920
statement that a petition is being circulated for an election 6921
for the submission of the question or questions specified in 6922
division (B) of this section. The form shall require the 6923
petitioner to state the question or questions to be submitted as 6924
they appear on the petition. 6925

The petitioner shall attach a copy of the list provided by 6926
the division to each petition paper. A part petition paper 6927
circulated at any time without the list of affected permit 6928
holders attached to it is invalid. 6929

At the time of filing the petition with the board of 6930
elections, the petitioner shall provide to the board of 6931
elections the list supplied by the division and an affidavit 6932
certifying that the petitioner notified all affected permit 6933
holders on the list in the manner and within the time required 6934
in this section and that, at the time each signer of the 6935
petition signed the petition, the petition paper contained a 6936
copy of the list of affected permit holders. 6937

Within five days after receiving a petition calling for an 6938
election for the submission of the question or questions set 6939
forth in this section, the board of elections shall give notice 6940
by certified mail that it has received the petition to all 6941
liquor permit holders whose names appear on the list of affected 6942
permit holders filed by the petitioner. Failure of the 6943
petitioner to supply the affidavit required by this section and 6944
a complete and accurate list of liquor permit holders 6945
invalidates the entire petition. The board of elections shall 6946
provide to a permit holder who would be affected by a proposed 6947
local option election, on the permit holder's request, the names 6948
of the streets, and, if appropriate, the address numbers of 6949

residences and business establishments within the precinct in 6950
which the election is sought and that would be affected by the 6951
results of the election. The board may charge a reasonable fee 6952
for this information when provided to the petitioner and the 6953
permit holder. 6954

Upon presentation not later than four p.m. of the 6955
ninetieth day before the day of a general election or a special 6956
election held on a day on which a primary election may be held, 6957
of a petition to the board of elections of the county wherein 6958
such election is sought to be held, requesting the holding of 6959
such election on either or both of the questions specified in 6960
this section, signed by qualified electors of the precinct 6961
concerned equal in number to thirty-five per cent of the total 6962
number of votes cast in the precinct concerned for the office of 6963
governor at the preceding general election for that office, such 6964
board shall submit the question or questions specified in the 6965
petition to the electors of the precinct concerned, on the day 6966
of the next general election or the next special election held 6967
on a day on which a primary election may be held, whichever 6968
occurs first. 6969

(B) The board shall proceed as follows: 6970

(1) Such board shall, upon the filing of a petition under 6971
this section, but not later than the seventy-eighth day before 6972
the day of the election for which the question or questions on 6973
the petition would qualify for submission to the electors of the 6974
precinct, examine and determine the sufficiency of the 6975
signatures and review, examine, and determine the validity of 6976
such petition and, in case of overlapping precinct petitions 6977
presented within that period, determine which of the petitions 6978
shall govern the further proceedings of the board. In the case 6979

where the board determines that two or more overlapping 6980
petitions are valid, the earlier petition shall govern. The 6981
board shall certify the sufficiency of signatures contained in 6982
the petition as of the time of filing and the validity of the 6983
petition as of the time of certification as described in 6984
division (C) (1) of this section if the board finds the petition 6985
to be both sufficient and valid. 6986

(2) If the petition contains sufficient signatures and is 6987
valid, and, in case of overlapping precinct petitions, after the 6988
board has determined the governing petition, the board shall 6989
order the holding of a special election in the precinct for the 6990
submission of the question or questions specified in the 6991
petition, on the day of the next general election or the next 6992
special election held on a day on which a primary election may 6993
be held, whichever occurs first. 6994

(3) All petitions filed with a board of elections under 6995
this section shall be open to public inspection under rules 6996
adopted by the board. 6997

(C) Protest against a local option petition may be filed 6998
by any qualified elector eligible to vote on the question or 6999
questions specified in the petition or by a permit holder in the 7000
precinct as described in the petition, not later than four p.m. 7001
of the seventy-fourth day before the day of such general or 7002
special election for which the petition qualified in accordance 7003
with section 3501.391 of the Revised Code. Such protest shall be 7004
in writing and shall be filed with the election officials with 7005
whom the petition was filed. Upon filing of such protest the 7006
election officials with whom it is filed shall ~~promptly fix the~~ 7007
~~time for hearing it, and shall forthwith mail notice of the~~ 7008
~~filing of the protest and the time for hearing it to the person~~ 7009

~~who filed the petition which is protested and to the person who~~ 7010
~~filed the protest. At the time and place fixed, the election~~ 7011
~~officials shall hear the protest and determine the validity of~~ 7012
~~the petition~~ proceed in accordance with that section. 7013

(D) If a majority of the electors voting on the question 7014
in the precinct vote "yes" on question (1) or (2) as set forth 7015
in division (A) of this section, the sale of beer as specified 7016
in that question shall be permitted in the precinct and no 7017
subsequent election shall be held in the precinct under this 7018
section on the same question for a period of at least four years 7019
from the date of the most recent election. 7020

If a majority of the electors voting on the question in 7021
the precinct vote "no" on question (1) or (2) as set forth in 7022
division (A) of this section, no C or D permit holder shall sell 7023
beer as specified in that question within the precinct during 7024
the period the election is in effect and no subsequent election 7025
shall be held in the precinct under this section on the same 7026
question for a period of at least four years from the date of 7027
the most recent election. 7028

Section 2. That existing sections 303.12, 303.59, 307.94, 7029
307.95, 3501.01, 3501.38, 3501.381, 3501.39, 3503.13, 3503.14, 7030
3503.15, 3503.151, 3503.152, 3503.153, 3503.16, 3503.18, 7031
3503.19, 3503.20, 3503.21, 3503.33, 3505.181, 3505.182, 7032
3505.183, 3505.20, 3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 7033
3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 7034
3511.09, 3511.11, 3511.14, 3513.041, 3513.05, 3513.07, 3513.261, 7035
3513.262, 3513.263, 3517.01, 3517.12, 3519.02, 3519.05, 3519.16, 7036
3599.12, 3599.21, 4301.33, 4301.331, 4301.332, 4301.333, 7037
4301.334, and 4305.14 of the Revised Code are hereby repealed. 7038

Section 3. A petition or part-petition described in 7039

section 3501.38 of the Revised Code, as amended by this act, 7040
that is signed by one or more electors before the effective date 7041
of this section is not invalid on the ground that the petition 7042
or part-petition does not meet the requirements of the Revised 7043
Code, as amended by this act, so long as the petition or part- 7044
petition meets the requirements of the Revised Code that were in 7045
effect on the day before the effective date of this section. 7046

Section 4. Notwithstanding any contrary provision of this 7047
act, the following provisions of this act first apply on the 7048
date that is eighteen months after the effective date of this 7049
section: 7050

(A) The requirement that the Statewide Voter Registration 7051
Database and the records of the boards of elections include a 7052
data field to indicate whether an elector's United States 7053
citizenship has been verified, as described in sections 3503.15, 7054
3503.201, and 3503.202 of the Revised Code, as amended or 7055
enacted by this act; 7056

(B) The requirements of section 3503.152 of the Revised 7057
Code, as amended by this act, that the Secretary of State 7058
conduct the review described in that section on a monthly or 7059
daily basis and that the boards of elections process the reports 7060
of those reviews as described in divisions (B) (1) and (3) of 7061
that section, provided that division (B) (2) of that section 7062
applies on the effective date of this section; 7063

(C) The requirements of divisions (B), (C) (2) (d) and (e), 7064
and (D) of section 3503.201 of the Revised Code, as enacted by 7065
this act, regarding the verification of electors' citizenship 7066
when registering to vote or updating a voter registration; 7067

(D) The requirements of divisions (A) (1) (c), (B) (3), and 7068

(D) (1) (b) of section 3503.202 of the Revised Code, as enacted by 7069
this act, regarding the verification of electors' citizenship 7070
after they are registered to vote; 7071

(E) The requirement that a provisional ballot affirmation 7072
include the information described in division (D) (5) of section 7073
3505.182 or division (A) (8) of section 3511.052 of the Revised 7074
Code, as amended or enacted by this act. 7075

Section 5. The General Assembly, applying the principle 7076
stated in division (B) of section 1.52 of the Revised Code that 7077
amendments are to be harmonized if reasonably capable of 7078
simultaneous operation, finds that the following sections, 7079
presented in this act as composites of the sections as amended 7080
by the acts indicated, are the resulting versions of the 7081
sections in effect prior to the effective date of the sections 7082
as presented in this act: 7083

Section 3503.21 of the Revised Code as amended by both 7084
H.B. 359 and S.B. 63 of the 131st General Assembly. 7085

Section 3505.183 of the Revised Code as amended by both 7086
H.B. 45 and H.B. 458 of the 134th General Assembly. 7087