

I\_134\_0787-1

134th General Assembly  
Regular Session  
2021-2022

. B. No.

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**A BILL**

To amend sections 3501.01, 3501.05, 3501.38, 1  
3503.09, 3503.12, 3503.13, 3503.14, 3503.15, 2  
3503.16, 3503.19, 3503.21, 3503.28, 3503.30, 3  
3503.33, 3505.183, 3509.01, 3509.02, 3509.03, 4  
3509.04, 3509.05, 3509.051, 3509.06, 3509.07, 5  
3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 6  
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 7  
3511.11, 3511.13, 3513.05, 3513.251, 3513.253, 8  
3513.254, 3513.255, 3513.257, 3513.259, 3599.11, 9  
3599.12, and 3599.18; to enact new section 10  
3503.11 and sections 3506.24 and 3509.031; and 11  
to repeal section 3503.11 of the Revised Code to 12  
enact the Ohio Election Security and 13  
Modernization Act to create an automated voter 14  
registration and verification system, to modify 15  
the law governing absent voting, and to make 16  
other changes to the Election Law. 17

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

**Section 1.** That sections 3501.01, 3501.05, 3501.38, 18



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3503.09, 3503.12, 3503.13, 3503.14, 3503.15, 3503.16, 3503.19, 19  
3503.21, 3503.28, 3503.30, 3503.33, 3505.183, 3509.01, 3509.02, 20  
3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.07, 3509.08, 21  
3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 22  
3511.09, 3511.10, 3511.11, 3511.13, 3513.05, 3513.251, 3513.253, 23  
3513.254, 3513.255, 3513.257, 3513.259, 3599.11, 3599.12, and 24  
3599.18 be amended and new section 3503.11 and sections 3506.24 25  
and 3509.031 of the Revised Code be enacted to read as follows: 26

**Sec. 3501.01.** As used in the sections of the Revised Code 27  
relating to elections and political communications: 28

(A) "General election" means the election held on the 29  
first Tuesday after the first Monday in each November. 30

(B) "Regular municipal election" means the election held 31  
on the first Tuesday after the first Monday in November in each 32  
odd-numbered year. 33

(C) "Regular state election" means the election held on 34  
the first Tuesday after the first Monday in November in each 35  
even-numbered year. 36

(D) "Special election" means any election other than those 37  
elections defined in other divisions of this section. A special 38  
election may be held only on the first Tuesday after the first 39  
Monday in May, August, or November, or on the day authorized by 40  
a particular municipal or county charter for the holding of a 41  
primary election, except that in any year in which a 42  
presidential primary election is held, no special election shall 43  
be held in May, except as authorized by a municipal or county 44  
charter, but may be held on the third Tuesday after the first 45  
Monday in March. 46

(E) (1) "Primary" or "primary election" means an election 47

held for the purpose of nominating persons as candidates of 48  
political parties for election to offices, and for the purpose 49  
of electing persons as members of the controlling committees of 50  
political parties and as delegates and alternates to the 51  
conventions of political parties. Primary elections shall be 52  
held on the first Tuesday after the first Monday in May of each 53  
year except in years in which a presidential primary election is 54  
held. 55

(2) "Presidential primary election" means a primary 56  
election as defined by division (E) (1) of this section at which 57  
an election is held for the purpose of choosing delegates and 58  
alternates to the national conventions of the major political 59  
parties pursuant to section 3513.12 of the Revised Code. Unless 60  
otherwise specified, presidential primary elections are included 61  
in references to primary elections. In years in which a 62  
presidential primary election is held, all primary elections 63  
shall be held on the third Tuesday after the first Monday in 64  
March except as otherwise authorized by a municipal or county 65  
charter. 66

(F) "Political party" means any group of voters meeting 67  
the requirements set forth in section 3517.01 of the Revised 68  
Code for the formation and existence of a political party. 69

(1) "Major political party" means any political party 70  
organized under the laws of this state whose candidate for 71  
governor or nominees for presidential electors received not less 72  
than twenty per cent of the total vote cast for such office at 73  
the most recent regular state election. 74

(2) "Minor political party" means any political party 75  
organized under the laws of this state that meets either of the 76  
following requirements: 77

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

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

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

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

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

primary, general, or special election to be held in this state. 108

(I) "Independent candidate" means any candidate who claims 109  
not to be affiliated with a political party, and whose name has 110  
been certified on the office-type ballot at a general or special 111  
election through the filing of a statement of candidacy and 112  
nominating petition, as prescribed in section 3513.257 of the 113  
Revised Code. 114

(J) "Nonpartisan candidate" means any candidate whose name 115  
is required, pursuant to section 3505.04 of the Revised Code, to 116  
be listed on the nonpartisan ballot, including all candidates 117  
for judicial office, for member of any board of education, for 118  
municipal or township offices in which primary elections are not 119  
held for nominating candidates by political parties, and for 120  
offices of municipal corporations having charters that provide 121  
for separate ballots for elections for these offices. 122

(K) "Party candidate" means any candidate who claims to be 123  
a member of a political party and who has been certified to 124  
appear on the office-type ballot at a general or special 125  
election as the nominee of a political party because the 126  
candidate has won the primary election of the candidate's party 127  
for the public office the candidate seeks, has been nominated 128  
under section 3517.012, or is selected by party committee in 129  
accordance with section 3513.31 of the Revised Code. 130

(L) "Officer of a political party" includes, but is not 131  
limited to, any member, elected or appointed, of a controlling 132  
committee, whether representing the territory of the state, a 133  
district therein, a county, township, a city, a ward, a 134  
precinct, or other territory, of a major or minor political 135  
party. 136

(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.	137 138 139 140
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	141 142
(O) "Voter" means an elector who votes at an election.	143
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	144 145 146
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	147 148 149 150
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	151 152 153
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	154 155 156
(T) "Political subdivision" means a county, township, city, village, or school district.	157 158
(U) "Election officer" or "election official" means any of the following:	159 160
(1) Secretary of state;	161
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney,	162 163

administrative officer, administrative assistant, elections	164
administrator, office manager, or clerical supervisor;	165
(3) Director of a board of elections;	166
(4) Deputy director of a board of elections;	167
(5) Member of a board of elections;	168
(6) Employees of a board of elections;	169
(7) Precinct election officials;	170
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	171 172
(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.	173 174 175 176 177 178 179
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, <u>by</u> <u>forwardable mail and with return postage prepaid,</u> to a registered elector to confirm the registered elector's current address. <u>The notice shall comply with all applicable</u> <u>requirements of the "National Voter Registration Act of 1993."</u>	180 181 182 183 184 185
(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	186 187 188 189 190 191

voters, or any other public or government office or agency that 192  
implements a program designed and administered by the secretary 193  
of state for registering voters, including the department of job 194  
and family services, the program administered under section 195  
3701.132 of the Revised Code by the department of health, the 196  
department of mental health and addiction services, the 197  
department of developmental disabilities, the opportunities for 198  
Ohioans with disabilities agency, and any other agency the 199  
secretary of state designates. "Designated agency" does not 200  
include public high schools and vocational schools, public 201  
libraries, or the office of a county treasurer. 202

(Y) "National Voter Registration Act of 1993" means the 203  
"National Voter Registration Act of 1993," 107 Stat. 77, ~~42-~~ 204  
~~U.S.C.A. 1973~~52 U.S.C. 20501 et seq. 205

(Z) "Voting Rights Act of 1965" means the "Voting Rights 206  
Act of 1965," 79 Stat. 437, ~~42 U.S.C.A. 1973~~52 U.S.C. 10301 et 207  
seq., as amended. 208

(AA) "Photo identification" means a document that meets 209  
each of the following requirements: 210

(1) It shows the name of the individual to whom it was 211  
issued, which shall conform to the name in the poll list or 212  
signature pollbook. 213

(2) It shows the current address of the individual to whom 214  
it was issued, which shall conform to the address in the poll 215  
list or signature pollbook, except for a driver's license or a 216  
state identification card issued under section 4507.50 of the 217  
Revised Code, which may show either the current or former 218  
address of the individual to whom it was issued, regardless of 219  
whether that address conforms to the address in the poll list or 220



signature pollbook.	221
(3) It shows a photograph of the individual to whom it was issued.	222 223
(4) It includes an expiration date that has not passed.	224
(5) It was issued by the government of the United States or this state.	225 226
<b>Sec. 3501.05.</b> The secretary of state shall do all of the following:	227 228
(A) Appoint all members of boards of elections;	229
(B) Issue instructions by directives and advisories in accordance with section 3501.053 of the Revised Code to members of the boards as to the proper methods of conducting elections.	230 231 232
(C) Prepare rules and instructions for the conduct of elections;	233 234
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	235 236 237
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	238 239
(F) Prescribe the form of registration cards, blanks, and records;	240 241
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	242 243 244 245
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution	246 247

to be submitted to the voters of the state;	248
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	249 250 251 252 253
(J) Except as otherwise provided in division (I) (2) (b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	254 255 256 257 258
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	259 260 261
(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;	262 263 264
(M) Compel the observance by election officers in the several counties of the requirements of the election laws;	265 266
(N) (1) Except as otherwise provided in division (N) (2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;	267 268 269 270 271
(2) On and after August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a	272 273 274 275 276

provision in one of those sections, by filing a complaint with 277  
the Ohio elections commission under section 3517.153 of the 278  
Revised Code. 279

(O) Make an annual report to the governor containing the 280  
results of elections, the cost of elections in the various 281  
counties, a tabulation of the votes in the several political 282  
subdivisions, and other information and recommendations relative 283  
to elections the secretary of state considers desirable; 284

(P) Prescribe and distribute to boards of elections a list 285  
of instructions indicating all legal steps necessary to petition 286  
successfully for local option elections under sections 4301.32 287  
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 288

(Q) Adopt rules pursuant to Chapter 119. of the Revised 289  
Code for the removal by boards of elections of ineligible voters 290  
from the statewide voter registration database and, if 291  
applicable, from the poll list or signature pollbook used in 292  
each precinct, which rules shall provide for all of the 293  
following: 294

(1) A process for the removal of voters who have changed 295  
residence, which shall be uniform, nondiscriminatory, and in 296  
compliance with the Voting Rights Act of 1965 and the National 297  
Voter Registration Act of 1993, including a program that uses 298  
the national change of address service provided by the United 299  
States postal system through its licensees; 300

(2) A process for the removal of ineligible voters under 301  
section 3503.21 of the Revised Code; 302

(3) A uniform system for marking or removing the name of a 303  
voter who is ineligible to vote from the statewide voter 304  
registration database and, if applicable, from the poll list or 305

signature pollbook used in each precinct and noting the reason 306  
for that mark or removal. 307

(R) (1) Prescribe a general program for registering voters 308  
or updating voter registration information, such as name and 309  
residence changes, by boards of elections, designated agencies, 310  
offices of deputy registrars of motor vehicles, public high 311  
schools and vocational schools, public libraries, and offices of 312  
county treasurers consistent with the requirements of section 313  
3503.09 of the Revised Code; 314

(2) Adopt rules pursuant to Chapter 119. of the Revised 315  
Code to develop, implement, and administer the automated voter 316  
registration and verification system described in section 317  
3503.11 of the Revised Code, including rules prescribing all of 318  
the following: 319

(a) The manner and format in which the bureau of motor 320  
vehicles must transmit information to the secretary of state 321  
under that section; 322

(b) An earlier deadline for the bureau of motor vehicles 323  
to transmit information to the secretary of state than the 324  
deadline described in division (C) of that section, if the 325  
bureau obtains that information during the period immediately 326  
preceding the close of voter registration before an election; 327

(c) Procedures for the bureau of motor vehicles, the 328  
office of the secretary of state, and boards of elections to 329  
follow to ensure that information transmitted under that section 330  
that is not considered a public record remains confidential. 331

(S) Prescribe a program of distribution of voter 332  
registration forms through boards of elections, designated 333  
agencies, offices of the registrar and deputy registrars of 334

motor vehicles, public high schools and vocational schools, 335  
public libraries, and offices of county treasurers; 336

(T) To the extent feasible, provide copies, at no cost and 337  
upon request, of the voter registration form in post offices in 338  
this state; 339

(U) Adopt rules pursuant to section 111.15 of the Revised 340  
Code for the purpose of implementing the program for registering 341  
voters through boards of elections, designated agencies, and the 342  
offices of the registrar and deputy registrars of motor vehicles 343  
consistent with this chapter; 344

(V) Establish the full-time position of Americans with 345  
Disabilities Act coordinator within the office of the secretary 346  
of state to do all of the following: 347

(1) Assist the secretary of state with ensuring that there 348  
is equal access to polling places for persons with disabilities; 349

(2) Assist the secretary of state with ensuring that each 350  
voter may cast the voter's ballot in a manner that provides the 351  
same opportunity for access and participation, including privacy 352  
and independence, as for other voters; 353

(3) Advise the secretary of state in the development of 354  
standards for the certification of voting machines, marking 355  
devices, and automatic tabulating equipment. 356

(W) Establish and maintain a computerized statewide 357  
database of all legally registered voters under section 3503.15 358  
of the Revised Code that complies with the requirements of the 359  
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 360  
1666, and provide training in the operation of that system; 361

(X) Ensure that all directives, advisories, other 362

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

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

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

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

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

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

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

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

(EE) Perform other duties required by law. 418

Whenever a primary election is held under section 3513.32 419  
of the Revised Code or a special election is held under section 420  
3521.03 of the Revised Code to fill a vacancy in the office of 421  
representative to congress, the secretary of state shall 422

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

In the performance of the secretary of state's duties as 440  
the chief election officer, the secretary of state may 441  
administer oaths, issue subpoenas, summon witnesses, compel the 442  
production of books, papers, records, and other evidence, and 443  
fix the time and place for hearing any matters relating to the 444  
administration and enforcement of the election laws. 445

In any controversy involving or arising out of the 446  
adoption of registration or the appropriation of funds for 447  
registration, the secretary of state may, through the attorney 448  
general, bring an action in the name of the state in the court 449  
of common pleas of the county where the cause of action arose or 450  
in an adjoining county, to adjudicate the question. 451

In any action involving the laws in Title XXXV of the 452



Revised Code wherein the interpretation of those laws is in 453  
issue in such a manner that the result of the action will affect 454  
the lawful duties of the secretary of state or of any board of 455  
elections, the secretary of state may, on the secretary of 456  
state's motion, be made a party. 457

The secretary of state may apply to any court that is 458  
hearing a case in which the secretary of state is a party, for a 459  
change of venue as a substantive right, and the change of venue 460  
shall be allowed, and the case removed to the court of common 461  
pleas of an adjoining county named in the application or, if 462  
there are cases pending in more than one jurisdiction that 463  
involve the same or similar issues, the court of common pleas of 464  
Franklin county. 465

Public high schools and vocational schools, public 466  
libraries, and the office of a county treasurer shall implement 467  
voter registration programs as directed by the secretary of 468  
state pursuant to this section. 469

The secretary of state may mail unsolicited applications 470  
for absent voter's ballots to individuals only for a general 471  
election and only if the general assembly has made an 472  
appropriation for that particular mailing. Under no other 473  
circumstance shall a public office, or a public official or 474  
employee who is acting in an official capacity, mail unsolicited 475  
applications for absent voter's ballots to any individuals. 476

Upon the request of the secretary of state, a state agency 477  
shall provide any information or assistance the secretary of 478  
state requires to carry out the secretary of state's powers and 479  
duties under Title XXXV of the Revised Code. 480

**Sec. 3501.38.** All declarations of candidacy, nominating 481

petitions, or other petitions presented to or filed with the 482  
secretary of state or a board of elections or with any other 483  
public office for the purpose of becoming a candidate for any 484  
nomination or office or for the holding of an election on any 485  
issue shall, in addition to meeting the other specific 486  
requirements prescribed in the sections of the Revised Code 487  
relating to them, be governed by the following rules: 488

(A) Only electors qualified to vote on the candidacy or 489  
issue which is the subject of the petition shall sign a 490  
petition. Each signer shall be a registered elector pursuant to 491  
section 3503.01 of the Revised Code. The facts of qualification 492  
shall be determined as of the date when the petition is filed. 493

(B) Signatures shall be affixed in ink. Each signer may 494  
also print the signer's name, so as to clearly identify the 495  
signer's signature. 496

(C) Each signer shall place on the petition after the 497  
signer's name the date of signing and the location of the 498  
signer's voting residence, including the street and number if in 499  
a municipal corporation or the rural route number, post office 500  
address, or township if outside a municipal corporation. The 501  
voting address given on the petition shall be the address 502  
appearing in the registration records at the board of elections. 503

(D) Except as otherwise provided in section 3501.382 of 504  
the Revised Code, no person shall write any name other than the 505  
person's own on any petition. Except as otherwise provided in 506  
section 3501.382 of the Revised Code, no person may authorize 507  
another to sign for the person. If a petition contains the 508  
signature of an elector two or more times, only the first 509  
signature shall be counted. 510

(E) (1) On each petition paper, the circulator shall 511  
indicate the number of signatures contained on it, and shall 512  
sign a statement made under penalty of election falsification 513  
that the circulator witnessed the affixing of every signature, 514  
that all signers were to the best of the circulator's knowledge 515  
and belief qualified to sign, and that every signature is to the 516  
best of the circulator's knowledge and belief the signature of 517  
the person whose signature it purports to be or of an attorney 518  
in fact acting pursuant to section 3501.382 of the Revised Code. 519  
On the circulator's statement for a declaration of candidacy or 520  
nominating petition for a person seeking to become a statewide 521  
candidate or for a statewide initiative or a statewide 522  
referendum petition, the circulator shall identify the 523  
circulator's name, the address of the circulator's permanent 524  
residence, and the name and address of the person employing the 525  
circulator to circulate the petition, if any. 526

(2) As used in division (E) of this section, "statewide 527  
candidate" means the joint candidates for the offices of 528  
governor and lieutenant governor or a candidate for the office 529  
of secretary of state, auditor of state, treasurer of state, or 530  
attorney general. 531

(F) Except as otherwise provided in section 3501.382 of 532  
the Revised Code, if a circulator knowingly permits an 533  
unqualified person to sign a petition paper or permits a person 534  
to write a name other than the person's own on a petition paper, 535  
that petition paper is invalid; otherwise, the signature of a 536  
person not qualified to sign shall be rejected but shall not 537  
invalidate the other valid signatures on the paper. 538

(G) The circulator of a petition may, before filing it in 539  
a public office, strike from it any signature the circulator 540

does not wish to present as a part of the petition. 541

(H) Any signer of a petition or an attorney in fact acting 542  
pursuant to section 3501.382 of the Revised Code on behalf of a 543  
signer may remove the signer's signature from that petition at 544  
any time before the petition is filed in a public office by 545  
striking the signer's name from the petition; no signature may 546  
be removed after the petition is filed in any public office. 547

(I) (1) No alterations, corrections, or additions may be 548  
made to a petition after it is filed in a public office. 549

(2) (a) No declaration of candidacy, nominating petition, 550  
or other petition for the purpose of becoming a candidate may be 551  
withdrawn after it is filed in a public office. Nothing in this 552  
division prohibits a person from withdrawing as a candidate as 553  
otherwise provided by law. 554

(b) No petition presented to or filed with the secretary 555  
of state, a board of elections, or any other public office for 556  
the purpose of the holding of an election on any question or 557  
issue may be resubmitted after it is withdrawn from a public 558  
office or rejected as containing insufficient signatures. 559  
Nothing in this division prevents a question or issue petition 560  
from being withdrawn by the filing of a written notice of the 561  
withdrawal by a majority of the members of the petitioning 562  
committee with the same public office with which the petition 563  
was filed prior to the sixtieth day before the election at which 564  
the question or issue is scheduled to appear on the ballot. 565

(J) All declarations of candidacy, nominating petitions, 566  
or other petitions under this section shall be accompanied by 567  
the following statement in boldface capital letters: WHOEVER 568  
COMMITTS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE 569

FIFTH DEGREE.	570
(K) All separate petition papers shall be filed at the same time, as one instrument.	571 572
(L) If a board of elections distributes for use a petition form for a declaration of candidacy, nominating petition, or any type of question or issue petition that does not satisfy the requirements of law as of the date of that distribution, the board shall not invalidate the petition on the basis that the petition form does not satisfy the requirements of law, if the petition otherwise is valid. Division (L) of this section applies only if the candidate received the petition from the board within ninety days of when the petition is required to be filed.	573 574 575 576 577 578 579 580 581 582
(M) (1) Upon receiving an initiative petition, or a petition filed under section 307.94 or 307.95 of the Revised Code, concerning a ballot issue that is to be submitted to the electors of a county or municipal political subdivision, the board of elections shall examine the petition to determine:	583 584 585 586 587
(a) Whether the petition falls within the scope of a municipal political subdivision's authority to enact via initiative, including, if applicable, the limitations placed by Sections 3 and 7 of Article XVIII of the Ohio Constitution on the authority of municipal corporations to adopt local police, sanitary, and other similar regulations as are not in conflict with general laws, and whether the petition satisfies the statutory prerequisites to place the issue on the ballot. The petition shall be invalid if any portion of the petition is not within the initiative power; or	588 589 590 591 592 593 594 595 596 597
(b) Whether the petition falls within the scope of a	598

county's authority to enact via initiative, including whether 599  
the petition conforms to the requirements set forth in Section 3 600  
of Article X of the Ohio Constitution, including the exercise of 601  
only those powers that have vested in, and the performance of 602  
all duties imposed upon counties and county officers by law, and 603  
whether the petition satisfies the statutory prerequisites to 604  
place the issue on the ballot. The finding of the board shall be 605  
subject to challenge by a protest filed pursuant to division (B) 606  
of section 307.95 of the Revised Code. 607

(2) After making a determination under division (M) (1) (a) 608  
or (b) of this section, the board of elections shall promptly 609  
transmit a copy of the petition and a notice of the board's 610  
determination to the office of the secretary of state. Notice of 611  
the board's determination shall be given to the petitioners and 612  
the political subdivision. 613

(3) If multiple substantially similar initiative petitions 614  
are submitted to multiple boards of elections and the 615  
determinations of the boards under division (M) (1) (a) or (b) of 616  
this section concerning those petitions differ, the secretary of 617  
state shall make a single determination under division (M) (1) (a) 618  
or (b) of this section that shall apply to each such initiative 619  
petition. 620

(N) A board of elections shall continue to verify every 621  
signature on a petition after the number of signatures found to 622  
be valid equals the minimum required number of valid signatures. 623  
When the board determines that an elector has signed a petition 624  
and that the signature is valid, the board shall note that fact 625  
in the elector's registration record. 626

**Sec. 3503.09.** (A) (1) The secretary of state shall adopt 627  
rules for the electronic transmission by boards of elections, 628

designated agencies, offices of deputy registrars of motor 629  
vehicles, public high schools and vocational schools, public 630  
libraries, and offices of county treasurers, where applicable, 631  
of change of name and change of residence ~~changes forms~~ for 632  
voter registration ~~records in the statewide voter registration~~ 633  
~~database.~~ 634

(2) The secretary of state shall adopt rules for the 635  
purpose of improving the speed of processing new voter 636  
registrations that permit information from a voter registration 637  
application received by a designated agency or an office of 638  
deputy registrar of motor vehicles to be made available 639  
electronically, in addition to requiring the original voter 640  
registration application to be transmitted to the applicable 641  
board of elections under division (E) (2) of section 3503.10 ~~or~~ 642  
~~section 3503.11~~ of the Revised Code. 643

(B) Rules adopted under division (A) of this section shall 644  
do all of the following: 645

(1) Prohibit any direct electronic connection between a 646  
designated agency, office of deputy registrar of motor vehicles, 647  
public high school or vocational school, public library, or 648  
office of a county treasurer and the statewide voter 649  
registration database; 650

(2) Require any updated voter registration information to 651  
be verified by the secretary of state or a board of elections 652  
before the information is added to the statewide voter 653  
registration database for the purpose of modifying an existing 654  
voter registration; 655

(3) Require each designated agency or office of deputy 656  
registrar of motor vehicles that transmits voter registration 657

information electronically to transmit an identifier for data 658  
relating to each new voter registration that shall be used by 659  
the secretary of state or a board of elections to match the 660  
electronic data to the original voter registration application. 661

(C) This section does not apply to information transmitted 662  
to the secretary of state under section 3503.11 of the Revised 663  
Code. 664

Sec. 3503.11. (A) (1) When a person applies to receive or 665  
renew a driver's license, commercial driver's license, or state 666  
identification card, or to receive a duplicate or replacement of 667  
one of those items, the registrar or deputy registrar shall 668  
attempt to obtain all of the following information from that 669  
person: 670

(a) The person's legal name; 671

(b) The person's residence address; 672

(c) The person's date of birth; 673

(d) The number of the person's driver's license or state 674  
identification card; 675

(e) The last four digits of the person's social security 676  
number. 677

(2) The secretary of state and the registrar of motor 678  
vehicles shall prescribe a method by which the registrar or a 679  
deputy registrar, upon obtaining all of the information 680  
described in division (A) (1) of this section concerning a 681  
person, may use the information in the statewide voter 682  
registration database immediately to determine whether the 683  
person is registered to vote in this state and, if so, whether 684  
the person is registered at the address and under the name the 685



person provided under division (A)(1) of this section. 686

(B)(1) When the registrar or deputy registrar obtains all 687  
of the information described in division (A)(1) of this section 688  
concerning a person who is not registered to vote in this state, 689  
unless the registrar or deputy registrar has information 690  
indicating that the person is not eligible to vote in this 691  
state, the registrar or deputy registrar shall cause a customer 692  
facing electronic display to ask the person whether the person 693  
wishes to be registered to vote. The secretary of state shall 694  
prescribe the language to appear on the display. When the 695  
display asks the person that question, the display also shall 696  
inform the person of both of the following: 697

(a) The fact that if the person declines to be registered 698  
to vote, that fact will remain confidential and will only be 699  
used for voter registration purposes; 700

(b) The fact that if the person wishes to be registered to 701  
vote, the office at which the person submitted the person's 702  
information will remain confidential and will only be used for 703  
voter registration purposes. 704

(2) If the person indicates that the person wishes to be 705  
registered to vote, the customer facing electronic display shall 706  
present the person with all of the following information, using 707  
language prescribed by the secretary of state: 708

(a) A statement that in order to register to vote, the 709  
person must be a United States citizen, at least eighteen years 710  
of age at the time of the next general election, and have lived 711  
in this state for thirty days immediately preceding the next 712  
election; 713

(b) A statement that election falsification is a felony of 714

the fifth degree; 715

(c) A statement instructing the person to decline to be 716  
registered to vote if the person is not eligible to register. 717

(3) The customer facing electronic display then shall 718  
request the person to provide the person's signature 719  
electronically in association with a statement, made under 720  
penalty of election falsification, that the person is a United 721  
States citizen, will be at least eighteen years of age at the 722  
time of the next general election, will have lived in this state 723  
for thirty days immediately preceding the next election, and is 724  
otherwise eligible to vote in this state. The secretary of state 725  
shall prescribe the language to appear on the display. 726

(4) If the person electronically signs the statement 727  
described in division (B) (3) of this section, the registrar or 728  
deputy registrar shall proceed under division (C) of this 729  
section. 730

(C) (1) Not later than seven days after the registrar or 731  
deputy registrar obtains all of the information described in 732  
division (A) of this section concerning a person, along with the 733  
person's electronic signature under division (B) of this 734  
section, the registrar or deputy registrar shall transmit the 735  
information and signature, along with any telephone number or 736  
electronic mail address the person has provided, to the 737  
secretary of state electronically in the manner prescribed by 738  
the secretary of state. 739

(2) Not later than seven days after the bureau of motor 740  
vehicles receives a notice of change of residence address from a 741  
registered elector, the bureau shall transmit the elector's 742  
updated information to the secretary of state electronically in 743

the manner prescribed by the secretary of state. 744

(D) (1) (a) Except as otherwise provided in division (D) (2) 745  
of this section, when the secretary of state receives 746  
information concerning a person under division (C) of this 747  
section, the secretary of state shall consult the statewide 748  
voter registration database to determine whether the person is 749  
registered to vote at the person's current address and under the 750  
person's current name, and if not, promptly shall transmit the 751  
person's information electronically to the appropriate board of 752  
elections. 753

(b) If the person is registered to vote at the person's 754  
current address and under the person's current name, the 755  
secretary of state promptly shall transmit to the appropriate 756  
board of elections an electronic notice of the date of the 757  
person's transaction with the registrar or deputy registrar. 758

(2) If the secretary of state determines that a person 759  
concerning whom the secretary of state receives information 760  
under division (C) of this section is not registered to vote at 761  
the person's current address or under the person's current name, 762  
but is a participant in the address confidentiality program 763  
described in sections 111.41 to 111.48 of the Revised Code, the 764  
secretary of state shall not transmit that information to the 765  
board of elections. Instead, the secretary of state shall send a 766  
notice to the person explaining the process to register to vote 767  
or to update the person's confidential registration under 768  
section 111.44 of the Revised Code. 769

(E) (1) If the board of elections determines that a person 770  
whose information is sent to the board under division (D) (1) (a) 771  
of this section is eligible to register to vote or to update the 772  
person's voter registration, the board promptly shall register 773

the person to vote or update the person's voter registration, as 774  
applicable, and send the person a notice in accordance with 775  
section 3503.19 of the Revised Code. The electronic record 776  
transmitted to the board of elections under this division shall 777  
be considered to be the person's voter registration form. 778

(2) Upon receiving a notice under division (D) (1) (b) of 779  
this section concerning an elector, the board of elections shall 780  
record the date of the elector's transaction with the registrar 781  
or deputy registrar in the elector's registration record. 782

(F) The secretary of state and the registrar of motor 783  
vehicles shall ensure that the procedures implemented under this 784  
section maintain the integrity, security, and confidentiality of 785  
information contained in the statewide voter registration 786  
database. 787

**Sec. 3503.12.** All registrations shall be carefully 788  
checked, and in case any person is found to have ~~registered~~ more 789  
~~than once~~ one registration form, the additional all registration 790  
forms other than the most recent registration form shall be 791  
canceled by the board of elections. 792

Six weeks prior to the day of a special, primary, or 793  
general election, the board shall publish notices in one or more 794  
newspapers of general circulation advertising the places, dates, 795  
times, methods of registration, and voter qualifications for 796  
registration. 797

The board shall establish a schedule or program to assure 798  
to the extent reasonably possible that, ~~on or before November 1,~~ 799  
~~1980,~~ all registration places shall be free of barriers that 800  
would impede the ingress and egress of handicapped persons. 801  
Entrances shall be level or shall be provided with a nonskid 802

ramp of not over eight per cent gradient, and doors shall be a 803  
minimum of thirty-two inches wide. Registration places located 804  
at polling places shall, however, comply with the requirements 805  
of section 3501.29 of the Revised Code for the elimination of 806  
barriers. 807

As used in this section, "handicapped" means having lost 808  
the use of one or both legs, one or both arms, or any 809  
combination thereof, or being blind or so severely disabled as 810  
to be unable to move about without the aid of crutches or a 811  
wheelchair. 812

**Sec. 3503.13.** (A) Except as otherwise provided in section 813  
111.44 of the Revised Code or by state or federal law, 814  
registration forms ~~submitted by applicants~~ and the statewide 815  
voter registration database established under section 3503.15 of 816  
the Revised Code shall be open to public inspection at all times 817  
when the office of the board of elections is open for business, 818  
under such regulations as the board adopts, provided that no 819  
person shall be permitted to inspect voter registration forms 820  
except in the presence of an employee of the board. 821

(B) A board of elections may use a legible digitized 822  
signature list of voter signatures, copied from the signatures 823  
on the registration forms in a form and manner prescribed by the 824  
secretary of state, provided that the board includes the 825  
required voter registration information in the statewide voter 826  
registration database established under section 3503.15 of the 827  
Revised Code, and provided that the precinct election officials 828  
have computer printouts at the polls prepared in the manner 829  
required under section 3503.23 of the Revised Code. 830

**Sec. 3503.14.** (A) The secretary of state shall prescribe 831  
the form and content of the registration, change of residence, 832

and change of name forms used in this state. The forms shall 833  
meet the requirements of the National Voter Registration Act of 834  
1993 and shall include spaces for all of the following: 835

(1) The voter's name; 836

(2) The voter's address; 837

(3) The current date; 838

(4) The voter's date of birth; 839

(5) The voter to provide one or more of the following: 840

(a) The voter's driver's license or state identification 841  
card number, if any; 842

(b) The last four digits of the voter's social security 843  
number, if any; 844

(c) A copy of a current and valid photo identification, a 845  
copy of a military identification, or a copy of a current 846  
utility bill, bank statement, government check, paycheck, or 847  
other government document, other than a notice of voter 848  
registration mailed by a board of elections under section 849  
3503.19 of the Revised Code, that shows the voter's name and 850  
address. 851

(6) The voter's signature. 852

The registration form shall include a space on which the 853  
person registering an applicant shall sign the person's name and 854  
provide the person's address and a space on which the person 855  
registering an applicant shall name the employer who is 856  
employing that person to register the applicant. 857

Except for forms prescribed by the secretary of state 858  
under section 3503.11 of the Revised Code, the secretary of 859

state shall permit boards of elections to produce forms that 860  
have subdivided spaces for each individual alphanumeric 861  
character of the information provided by the voter so as to 862  
accommodate the electronic reading and conversion of the voter's 863  
information to data and the subsequent electronic transfer of 864  
that data to the statewide voter registration database 865  
established under section 3503.15 of the Revised Code. 866

(B) None of the following persons who are registering an 867  
applicant in the course of that official's or employee's normal 868  
duties shall sign the person's name, provide the person's 869  
address, or name the employer who is employing the person to 870  
register an applicant on a form prepared under this section: 871

- (1) An election official; 872
- (2) A county treasurer; 873
- (3) A deputy registrar of motor vehicles; 874
- (4) An employee of a designated agency; 875
- (5) An employee of a public high school; 876
- (6) An employee of a public vocational school; 877
- (7) An employee of a public library; 878
- (8) An employee of the office of a county treasurer; 879
- (9) An employee of the bureau of motor vehicles; 880
- (10) An employee of a deputy registrar of motor vehicles; 881
- (11) An employee of an election official. 882

(C) Except as provided in section 3501.382 of the Revised 883  
Code, any applicant who is unable to sign the applicant's own 884  
name shall make an "X," if possible, which shall be certified by 885

the signing of the name of the applicant by the person filling 886  
out the form, who shall add the person's own signature. If an 887  
applicant is unable to make an "X," the applicant shall indicate 888  
in some manner that the applicant desires to register to vote or 889  
to change the applicant's name or residence. The person 890  
registering the applicant shall sign the form and attest that 891  
the applicant indicated that the applicant desired to register 892  
to vote or to change the applicant's name or residence. 893

(D) No registration, change of residence, or change of 894  
name form shall be rejected solely on the basis that a person 895  
registering an applicant failed to sign the person's name or 896  
failed to name the employer who is employing that person to 897  
register the applicant as required under division (A) of this 898  
section. 899

(E) A voter registration application submitted online 900  
through the internet pursuant to section 3503.20 of the Revised 901  
Code is not required to contain a signature to be considered 902  
valid. The signature obtained under division (B) of that section 903  
shall be considered the applicant's signature for all election 904  
and signature-matching purposes. 905

(F) As used in this section, "registering an applicant" 906  
includes any effort, for compensation, to provide voter 907  
registration forms or to assist persons in completing or 908  
returning those forms. 909

**Sec. 3503.15.** (A) (1) The secretary of state shall 910  
establish and maintain a statewide voter registration database 911  
that shall be administered by the office of the secretary of 912  
state and made continuously available to each board of elections 913  
and to other agencies as authorized by law. 914



(2) (a) State agencies, including, but not limited to, the 915  
department of health, the bureau of motor vehicles, the 916  
department of job and family services, the department of 917  
medicaid, and the department of rehabilitation and corrections, 918  
shall provide any information and data to the secretary of state 919  
that is collected in the course of normal business and that is 920  
necessary to register to vote, to update an elector's 921  
registration, or to maintain the statewide voter registration 922  
database established pursuant to this section, except where 923  
prohibited by federal law or regulation. The department of 924  
health, the bureau of motor vehicles, the department of job and 925  
family services, the department of medicaid, and the department 926  
of rehabilitation and corrections shall provide that information 927  
and data to the secretary of state not later than the last day 928  
of each month. The secretary of state shall ensure that any 929  
information or data provided to the secretary of state that is 930  
confidential in the possession of the entity providing the data 931  
remains confidential while in the possession of the secretary of 932  
state. No public office, and no public official or employee, 933  
shall sell that information or data or use that information or 934  
data for profit. 935

(b) Information provided under this division for 936  
maintenance of the statewide voter registration database shall 937  
not be used to update the name or address of a registered 938  
elector. ~~The~~ Except for cases in which an elector's registration 939  
is updated through the system described in section 3503.11 of 940  
the Revised Code, the name or address of a registered elector 941  
shall only be updated as a result of the elector's actions in 942  
filing a notice of change of name, change of address, or both. 943

(c) A board of elections shall contact a registered 944  
elector pursuant to the rules adopted under division (D) (7) of 945

this section to verify the accuracy of the information in the 946  
statewide voter registration database regarding that elector if 947  
that information does not conform with information provided 948  
under division (A) (2) (a) of this section and the discrepancy 949  
would affect the elector's eligibility to cast a regular ballot. 950

(3) (a) The secretary of state shall enter into agreements 951  
to share information or data that is in the possession of the 952  
secretary of state with other states or groups of states, as the 953  
secretary of state considers necessary, in order to maintain the 954  
statewide voter registration database established pursuant to 955  
this section. Except as otherwise provided in division (A) (3) (b) 956  
of this section, the secretary of state shall ensure that any 957  
information or data provided to the secretary of state that is 958  
confidential in the possession of the state providing the data 959  
remains confidential while in the possession of the secretary of 960  
state. 961

(b) The secretary of state may provide such otherwise 962  
confidential information or data to persons or organizations 963  
that are engaging in legitimate governmental purposes related to 964  
the maintenance of the statewide voter registration database. 965  
The secretary of state shall adopt rules pursuant to Chapter 966  
119. of the Revised Code identifying the persons or 967  
organizations who may receive that information or data. The 968  
secretary of state shall not share that information or data with 969  
a person or organization not identified in those rules. The 970  
secretary of state shall ensure that a person or organization 971  
that receives confidential information or data under this 972  
division keeps the information or data confidential in the 973  
person's or organization's possession by, at a minimum, entering 974  
into a confidentiality agreement with the person or 975  
organization. Any confidentiality agreement entered into under 976

this division shall include a requirement that the person or 977  
organization submit to the jurisdiction of this state in the 978  
event that the person or organization breaches the agreement. 979

(4) No person or entity that receives information or data 980  
under division (A) (3) of this section shall sell the information 981  
or data or use the information or data for profit. 982

(5) The secretary of state shall regularly transmit to the 983  
boards of elections, to the extent permitted by state and 984  
federal law, the information and data the secretary of state 985  
receives under divisions (A) (2) and (3) of this section that is 986  
necessary to do the following, in order to ensure that the 987  
accuracy of the statewide voter registration database is 988  
maintained on a regular basis in accordance with applicable 989  
state and federal law: 990

(a) Require the boards of elections to maintain the 991  
database in a manner that ensures that the name of each 992  
registered elector appears in the database, that only 993  
individuals who are not registered or eligible to vote are 994  
removed from the database, and that duplicate registrations are 995  
eliminated from the database; 996

(b) Require the boards of elections to make a reasonable 997  
effort to remove individuals who are not eligible to vote from 998  
the database; 999

(c) Establish safeguards to ensure that eligible electors 1000  
are not removed in error from the database. 1001

(B) The statewide voter registration database established 1002  
under this section shall be the official list of registered 1003  
voters for all elections conducted in this state. 1004

(C) The statewide voter registration database established 1005

under this section shall, at a minimum, include all of the 1006  
following: 1007

(1) An electronic network that connects all board of 1008  
elections offices with the office of the secretary of state and 1009  
with the offices of all other boards of elections; 1010

(2) A computer program that harmonizes the records 1011  
contained in the database with records maintained by each board 1012  
of elections; 1013

(3) An interactive computer program that allows access to 1014  
the records contained in the database by each board of elections 1015  
and by any persons authorized by the secretary of state to add, 1016  
delete, modify, or print database records, and to conduct 1017  
updates of the database; 1018

(4) A search program capable of verifying registered 1019  
voters and their registration information by name, driver's 1020  
license or state identification card number, birth date, social 1021  
security number, or current address; 1022

(5) Safeguards and components to ensure that the 1023  
integrity, security, and confidentiality of the voter 1024  
registration information is maintained; 1025

(6) Methods to retain canceled voter registration records 1026  
for not less than five years after they are canceled and to 1027  
record the reason for their cancellation. 1028

(D) The secretary of state shall adopt rules pursuant to 1029  
Chapter 119. of the Revised Code doing all of the following: 1030

(1) Specifying the manner in which existing voter 1031  
registration records maintained by boards of elections shall be 1032  
converted to electronic files for inclusion in the statewide 1033

voter registration database;	1034
(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received;	1035 1036 1037 1038
(3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code;	1039 1040 1041
(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database;	1042 1043 1044
(5) Establishing a process for annually auditing the information contained in the statewide voter registration database;	1045 1046 1047
(6) Establishing, by mutual agreement with the bureau of motor vehicles, the content and format of the information and data the bureau of motor vehicles shall provide to the secretary of state under division (A)(2)(a) of this section and the frequency with which the bureau shall provide that information and data;	1048 1049 1050 1051 1052 1053
(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A)(2)(a) or (3)(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.	1054 1055 1056 1057 1058 1059 1060 1061
(E) A board of elections promptly shall purge a voter's	1062

name and voter registration information from the statewide voter 1063  
registration database in accordance with the rules adopted by 1064  
the secretary of state under division (D) (3) of this section 1065  
after the cancellation of a voter's registration under section 1066  
3503.21 of the Revised Code. 1067

(F) The secretary of state shall provide training in the 1068  
operation of the statewide voter registration database to each 1069  
board of elections and to any persons authorized by the 1070  
secretary of state to add, delete, modify, or print database 1071  
records, and to conduct updates of the database. 1072

(G) (1) The statewide voter registration database 1073  
established under this section shall be made available on a web 1074  
site of the office of the secretary of state as follows: 1075

(a) Except as otherwise provided in division (G) (1) (b) of 1076  
this section, the following information from the statewide voter 1077  
registration database regarding a registered voter shall be made 1078  
available on the web site: 1079

(i) The voter's name; 1080

(ii) The voter's address; 1081

(iii) The voter's precinct number; 1082

(iv) The voter's voting history. 1083

(b) During the thirty days before the day of a primary or 1084  
general election, the web site interface of the statewide voter 1085  
registration database shall permit a voter to search for the 1086  
polling location at which that voter may cast a ballot. 1087

(2) The secretary of state shall establish, by rule 1088  
adopted under Chapter 119. of the Revised Code, a process for 1089  
boards of elections to notify the secretary of state of changes 1090

in the locations of precinct polling places for the purpose of 1091  
updating the information made available on the secretary of 1092  
state's web site under division (G) (1) (b) of this section. Those 1093  
rules shall require a board of elections, during the thirty days 1094  
before the day of a primary or general election, to notify the 1095  
secretary of state within one business day of any change to the 1096  
location of a precinct polling place within the county. 1097

(3) During the thirty days before the day of a primary or 1098  
general election, not later than one business day after 1099  
receiving a notification from a county pursuant to division (G) 1100  
(2) of this section that the location of a precinct polling 1101  
place has changed, the secretary of state shall update that 1102  
information on the secretary of state's web site for the purpose 1103  
of division (G) (1) (b) of this section. 1104

(H) The secretary of state shall conduct an annual review 1105  
of the statewide voter registration database as follows: 1106

(1) The secretary of state shall compare the information 1107  
in the statewide voter registration database with the 1108  
information the secretary of state obtains from the bureau of 1109  
motor vehicles under division (A) (2) of this section to identify 1110  
any person who does all of the following, in the following 1111  
order: 1112

(a) Submits documentation to the bureau of motor vehicles 1113  
that indicates that the person is not a United States citizen; 1114

(b) ~~Registers~~ Is registered to vote, submits a ~~has the~~ 1115  
person's voter registration change of residence or change of 1116  
~~name form updated,~~ or votes in this state; 1117

(c) Submits documentation to the bureau of motor vehicles 1118  
that indicates that the person is not a United States citizen. 1119

(2) The secretary of state shall send a written notice to 1120  
each person identified under division (H) (1) of this section, 1121  
instructing the person either to confirm that the person is a 1122  
United States citizen or to submit a completed voter 1123  
registration cancellation form to the secretary of state. The 1124  
secretary of state shall include a blank voter registration 1125  
cancellation form with the notice. If the person fails to 1126  
respond to the secretary of state in the manner described in 1127  
division (H) (3) or (4) of this section not later than thirty 1128  
days after the notice was sent, the secretary of state promptly 1129  
shall send the person a second notice and form. 1130

(3) If, not later than sixty days after the first notice 1131  
was sent, a person who is sent a notice under division (H) (2) of 1132  
this section responds to the secretary of state, confirming that 1133  
the person is a United States citizen, the secretary of state 1134  
shall take no action concerning the person's voter registration. 1135

(4) If, not later than sixty days after the first notice 1136  
was sent, a person who receives a notice under division (H) (2) 1137  
of this section sends a completed voter registration 1138  
cancellation form to the secretary of state, the secretary of 1139  
state shall instruct the board of elections of the county in 1140  
which the person is registered to cancel the person's 1141  
registration. 1142

(5) If a person who was sent a second notice under 1143  
division (H) (2) of this section fails to respond to the 1144  
secretary of state in the manner described in division (H) (3) or 1145  
(4) of this section not later than thirty days after the second 1146  
notice was sent, the secretary of state shall refer the matter 1147  
to the attorney general for further investigation and possible 1148  
prosecution under section 3599.11, 3599.12, 3599.13, or any 1149



other applicable section of the Revised Code. If, after the 1150  
thirtieth day after the second notice was sent, the person sends 1151  
a completed voter registration cancellation form to the 1152  
secretary of state, the secretary of state shall instruct the 1153  
board of elections of the county in which the person is 1154  
registered to cancel the person's registration and shall notify 1155  
the attorney general of the cancellation. 1156

(6) The secretary of state shall not conduct the review 1157  
described in division (H) of this section during the ninety days 1158  
immediately preceding a primary or general election for federal 1159  
office. 1160

**Sec. 3503.16.** (A) ~~Except as otherwise provided in division 1161  
(E) of section 111.44 of the Revised Code, whenever Whenever a 1162  
registered elector changes the place of residence of that 1163  
registered elector from one precinct to another within a county 1164  
or from one county to another, or has a change of name, that 1165  
registered elector shall report the change by ~~delivering a 1166  
change of residence or change of name form, whichever is 1167  
appropriate, as prescribed by the secretary of state under 1168  
section 3503.14 of the Revised Code to the state or local office 1169  
of a designated agency, a public high school or vocational 1170  
school, a public library, the office of the county treasurer, 1171  
the office of the secretary of state, any office of the 1172  
registrar or deputy registrar of motor vehicles, or any office 1173  
of a board of elections in person or by a third person. Any 1174  
voter registration, change of address, or change of name 1175  
application, returned by mail, may be sent only to the secretary 1176  
of state or the board of elections.~~ 1177~~

~~A registered elector also may update the registration of 1178  
that registered elector by filing a change of residence or 1179~~

~~change of name form on the day of a special, primary, or general~~ 1180  
~~election at the polling place in the precinct in which that~~ 1181  
~~registered elector resides or at the board of elections or at~~ 1182  
~~another site designated by the board~~ one of the methods 1183  
described in section 3503.19 of the Revised Code. 1184

(B) (1) (a) Any registered elector who moves within a 1185  
precinct on or prior to the day of a general, primary, or 1186  
special election and has not ~~filed a notice of reported the~~ 1187  
~~change of residence in accordance with the board of elections~~ 1188  
~~section 3503.19 of the Revised Code~~ may vote in that election by 1189  
going to that registered elector's assigned polling place, 1190  
completing and signing a notice of change of residence, showing 1191  
identification in the form of a current and valid photo 1192  
identification, a military identification, or a copy of a 1193  
current utility bill, bank statement, government check, 1194  
paycheck, or other government document, other than a notice of 1195  
voter registration mailed by a board of elections under section 1196  
3503.19 of the Revised Code, that shows the name and current 1197  
address of the elector, and casting a ballot. 1198

(b) Any registered elector who changes the name of that 1199  
registered elector and remains within a precinct on or prior to 1200  
the day of a general, primary, or special election and has not 1201  
~~filed a notice of reported the~~ change of name in accordance with 1202  
~~the board of elections~~ section 3503.19 of the Revised Code may 1203  
vote in that election by going to that registered elector's 1204  
assigned polling place, completing and signing a notice of a 1205  
change of name, and casting a provisional ballot under section 1206  
3505.181 of the Revised Code. If the registered elector provides 1207  
to the precinct election officials proof of a legal name change, 1208  
such as a marriage license or court order that includes the 1209  
elector's current and prior names, the elector may complete and 1210

sign a notice of change of name and cast a regular ballot. 1211

(2) Any registered elector who moves from one precinct to 1212  
another within a county or moves from one precinct to another 1213  
and changes the name of that registered elector on or prior to 1214  
the day of a general, primary, or special election and has not 1215  
~~filed a notice of~~ reported the change of residence or change of 1216  
name, whichever is appropriate, in accordance with ~~the board of~~ 1217  
~~elections section 3503.19 of the Revised Code~~ may vote in that 1218  
election if that registered elector complies with division ~~(G)~~ 1219  
(E) of this section or does all of the following: 1220

(a) Appears at ~~anytime~~ any time during regular business 1221  
hours on or after the twenty-eighth day prior to the election in 1222  
which that registered elector wishes to vote or, if the election 1223  
is held on the day of a presidential primary election, the 1224  
twenty-fifth day prior to the election, through noon of the 1225  
Saturday prior to the election at the office of the board of 1226  
elections, appears at any time during regular business hours on 1227  
the Monday prior to the election at the office of the board of 1228  
elections, or appears on the day of the election at either of 1229  
the following locations: 1230

(i) The polling place for the precinct in which that 1231  
registered elector resides; 1232

(ii) The office of the board of elections or, if pursuant 1233  
to division (C) of section 3501.10 of the Revised Code the board 1234  
has designated another location in the county at which 1235  
registered electors may vote, at that other location instead of 1236  
the office of the board of elections. 1237

(b) Completes and signs, under penalty of election 1238  
falsification, the written affirmation on the provisional ballot 1239

envelope, which shall serve as a notice of change of residence 1240  
or change of name, whichever is appropriate; 1241

(c) Votes a provisional ballot under section 3505.181 of 1242  
the Revised Code at the polling place, at the office of the 1243  
board of elections, or, if pursuant to division (C) of section 1244  
3501.10 of the Revised Code the board has designated another 1245  
location in the county at which registered electors may vote, at 1246  
that other location instead of the office of the board of 1247  
elections, whichever is appropriate, using the address to which 1248  
that registered elector has moved or the name of that registered 1249  
elector as changed, whichever is appropriate; 1250

(d) Completes and signs, under penalty of election 1251  
falsification, a statement attesting that that registered 1252  
elector moved or had a change of name, whichever is appropriate, 1253  
on or prior to the day of the election, has voted a provisional 1254  
ballot at the polling place for the precinct in which that 1255  
registered elector resides, at the office of the board of 1256  
elections, or, if pursuant to division (C) of section 3501.10 of 1257  
the Revised Code the board has designated another location in 1258  
the county at which registered electors may vote, at that other 1259  
location instead of the office of the board of elections, 1260  
whichever is appropriate, and will not vote or attempt to vote 1261  
at any other location for that particular election. 1262

(C) Any registered elector who moves from one county to 1263  
another county within the state on or prior to the day of a 1264  
general, primary, or special election and has not ~~registered to~~ 1265  
~~vote in the county to which that registered elector moved~~ 1266  
reported the change of residence in accordance with section 1267  
3503.19 of the Revised Code may vote in that election if that 1268  
registered elector complies with division ~~(G)~~ (E) of this 1269

section or does all of the following: 1270

(1) Appears at any time during regular business hours on 1271  
or after the twenty-eighth day prior to the election in which 1272  
that registered elector wishes to vote or, if the election is 1273  
held on the day of a presidential primary election, the twenty- 1274  
fifth day prior to the election, through noon of the Saturday 1275  
prior to the election at the office of the board of elections 1276  
or, if pursuant to division (C) of section 3501.10 of the 1277  
Revised Code the board has designated another location in the 1278  
county at which registered electors may vote, at that other 1279  
location instead of the office of the board of elections, 1280  
appears during regular business hours on the Monday prior to the 1281  
election at the office of the board of elections or, if pursuant 1282  
to division (C) of section 3501.10 of the Revised Code the board 1283  
has designated another location in the county at which 1284  
registered electors may vote, at that other location instead of 1285  
the office of the board of elections, or appears on the day of 1286  
the election at the office of the board of elections or, if 1287  
pursuant to division (C) of section 3501.10 of the Revised Code 1288  
the board has designated another location in the county at which 1289  
registered electors may vote, at that other location instead of 1290  
the office of the board of elections; 1291

(2) Completes and signs, under penalty of election 1292  
falsification, the written affirmation on the provisional ballot 1293  
envelope, which shall serve as a notice of change of residence; 1294

(3) Votes a provisional ballot under section 3505.181 of 1295  
the Revised Code at the office of the board of elections or, if 1296  
pursuant to division (C) of section 3501.10 of the Revised Code 1297  
the board has designated another location in the county at which 1298  
registered electors may vote, at that other location instead of 1299

the office of the board of elections, using the address to which 1300  
that registered elector has moved; 1301

(4) Completes and signs, under penalty of election 1302  
falsification, a statement attesting that that registered 1303  
elector has moved from one county to another county within the 1304  
state on or prior to the day of the election, has voted at the 1305  
office of the board of elections or, if pursuant to division (C) 1306  
of section 3501.10 of the Revised Code the board has designated 1307  
another location in the county at which registered electors may 1308  
vote, at that other location instead of the office of the board 1309  
of elections, and will not vote or attempt to vote at any other 1310  
location for that particular election. 1311

(D) A person who votes by absent voter's ballots pursuant 1312  
to division ~~(C)~~(E) of this section shall not make written 1313  
application for the ballots pursuant to Chapter 3509. of the 1314  
Revised Code. Ballots cast pursuant to division ~~(C)~~(E) of this 1315  
section shall be set aside in a special envelope and counted 1316  
during the official canvass of votes in the manner provided for 1317  
in sections 3505.32 and 3509.06 of the Revised Code insofar as 1318  
that manner is applicable. The board shall examine the pollbooks 1319  
to verify that no ballot was cast at the polls or by absent 1320  
voter's ballots under Chapter 3509. or 3511. of the Revised Code 1321  
by an elector who has voted by absent voter's ballots pursuant 1322  
to division ~~(C)~~(E) of this section. Any ballot determined to be 1323  
insufficient for any of the reasons stated above or stated in 1324  
section 3509.07 of the Revised Code shall not be counted. 1325

Subject to division (C) of section 3501.10 of the Revised 1326  
Code, a board of elections may lease or otherwise acquire a site 1327  
different from the office of the board at which registered 1328  
electors may vote pursuant to division (B) or (C) of this 1329

section. 1330

~~(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.~~ 1331  
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~~(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.~~ 1340  
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~~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.~~ 1346  
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~~(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~~ 1353  
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on the day of the election if that registered elector does all 1360  
of the following: 1361

(1) Makes a written application that includes all of the 1362  
information required under section 3509.03 of the Revised Code 1363  
to the appropriate board for an absent voter's ballot on or 1364  
after the twenty-seventh day prior to the election in which the 1365  
registered elector wishes to vote through ~~noon of the Saturday~~ 1366  
tenth day prior to that election and requests that the absent 1367  
voter's ballot be sent to the address to which the registered 1368  
elector has moved if the registered elector has moved, or to the 1369  
address of that registered elector who has not moved but has had 1370  
a change of name; 1371

(2) Declares that the registered elector has moved or had 1372  
a change of name, whichever is appropriate, and otherwise is 1373  
qualified to vote under the circumstances described in division 1374  
(B) or (C) of this section, whichever is appropriate, but that 1375  
the registered elector is unable to appear at the board of 1376  
elections because of personal illness, physical disability, or 1377  
infirmity; 1378

(3) Completes and returns along with the completed absent 1379  
voter's ballot a notice of change of residence indicating the 1380  
address to which the registered elector has moved, or a notice 1381  
of change of name, whichever is appropriate; 1382

(4) Completes and signs, under penalty of election 1383  
falsification, a statement attesting that the registered elector 1384  
has moved or had a change of name on or prior to the day before 1385  
the election, has voted by absent voter's ballot because of 1386  
personal illness, physical disability, or infirmity that 1387  
prevented the registered elector from appearing at the board of 1388  
elections, and will not vote or attempt to vote at any other 1389



location or by absent voter's ballot mailed to any other 1390  
location or address for that particular election. 1391

**Sec. 3503.19.** ~~(A) Persons~~ (A) (1) Except as otherwise 1392  
provided in division (E) of section 111.44 of the Revised Code, 1393  
persons qualified to register or to change their registration 1394  
because of a change of address or change of name may register or 1395  
change their registration ~~in~~ by doing any of the following: 1396

(a) Submitting a voter registration or change of address 1397  
or change of name form in person or through another person at 1398  
any state or local office of a designated agency, at the office 1399  
of the registrar or any deputy registrar of motor vehicles, at a 1400  
public high school or vocational school, at a public library, at 1401  
the office of a county treasurer, or at a branch office 1402  
established by the board of elections, ~~or in;~~ 1403

(b) Submitting a voter registration or change of address 1404  
or change of name form in person or through another person at a 1405  
probate court or a court of common pleas. The board of elections 1406  
shall provide the forms to the courts, and the courts shall 1407  
provide the forms to any person eighteen years of age or older 1408  
who has a change of name by order of the court or who applies 1409  
for a marriage license. 1410

(c) Submitting a voter registration or change of address 1411  
or change of name form in person, through another person, or by 1412  
mail at the office of the secretary of state or at the office of 1413  
a any board of elections. ~~A registered elector may also change~~ 1414  
~~the elector's registration on;~~ 1415

(d) Being registered or having the elector's registration 1416  
updated through the automated voter registration and 1417  
verification system under section 3503.11 of the Revised Code; 1418

(e) Submitting an application through the online voter registration system under section 3503.20 of the Revised Code; 1419  
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(f) Submitting a voter registration or change of address or change of name form in person to the election officials on election day at any polling place where the elector is eligible to vote, in the manner provided under section 3503.16 of the Revised Code. Voter registration and change of address or change of name forms shall be available at each polling place, and the election officials shall return all completed forms, together with the pollbooks and tally sheets, to the board of elections. 1421  
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(g) In the case of a person who is eligible to vote as a uniformed services voter or an overseas voter in accordance with the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301, et seq., returning the person's completed voter registration or change of address or change of name form electronically to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located pursuant to section 3503.191 of the Revised Code. 1429  
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(2) Any 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, a probate court or court of common pleas, or the office of a county treasurer shall transmit any voter registration application or change of registration form that it receives to the board of elections of the county in which the state or local office is located, within five days after receiving the voter registration application or change of registration form. 1438  
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An (3) (a) Except as provided in division (A) (3) (b) of this section, an otherwise valid voter registration application that 1447  
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is returned to the appropriate office other than by mail must be 1449  
received by a state or local office of a designated agency, the 1450  
office of the registrar or any deputy registrar of motor 1451  
vehicles, a public high school or vocational school, a public 1452  
library, the office of a county treasurer, a probate court or 1453  
court of common pleas, the office of the secretary of state, or 1454  
the office of a board of elections no later than the thirtieth 1455  
day preceding a primary, special, or general election for the 1456  
person to qualify as an elector eligible to vote at that 1457  
election. An otherwise valid registration application received 1458  
after that day entitles the elector to vote at all subsequent 1459  
elections. 1460

(b) Information transmitted to the secretary of state by 1461  
the bureau of motor vehicles under section 3503.11 of the 1462  
Revised Code concerning a person who is eligible to register to 1463  
vote must have been submitted to the bureau by the person not 1464  
later than the thirtieth day preceding a primary, special, or 1465  
general election for the person to be registered to vote and to 1466  
qualify as an elector eligible to vote at that election. 1467  
Otherwise valid information transmitted under that division that 1468  
was submitted after that day entitles the person to be 1469  
registered to vote and to vote at all subsequent elections. 1470

(4) Any state or local office of a designated agency, the 1471  
office of the registrar or any deputy registrar of motor 1472  
vehicles, a public high school or vocational school, a public 1473  
library, a probate court or court of common pleas, or the office 1474  
of a county treasurer shall date stamp a registration 1475  
application or change of name or change of address form it 1476  
receives using a date stamp that does not disclose the identity 1477  
of the state or local office that receives the registration. 1478

(5) Voter registration applications, if otherwise valid, 1479  
that are returned by mail to the office of the secretary of 1480  
state or to the office of a board of elections must be 1481  
postmarked no later than the thirtieth day preceding a primary, 1482  
special, or general election in order for the person to qualify 1483  
as an elector eligible to vote at that election. If an otherwise 1484  
valid voter registration application that is returned by mail 1485  
does not bear a postmark or a legible postmark, the registration 1486  
shall be valid for that election if received by the office of 1487  
the secretary of state or the office of a board of elections no 1488  
later than twenty-five days preceding any special, primary, or 1489  
general election. 1490

(B) (1) Any person may apply in person, by telephone, by 1491  
mail, or through another person for voter registration forms to 1492  
the office of the secretary of state or the office of a board of 1493  
elections. An individual who is eligible to vote as a uniformed 1494  
services voter or an overseas voter in accordance with 42-52 1495  
U.S.C. ~~1973ff-6-20310~~ also may apply for voter registration 1496  
forms by electronic means to the office of the secretary of 1497  
state or to the board of elections of the county in which the 1498  
person's voting residence is located pursuant to section 1499  
3503.191 of the Revised Code. 1500

~~(2) (a) An applicant may return the applicant's completed~~ 1501  
~~registration form in person or by mail to any state or local~~ 1502  
~~office of a designated agency, to a public high school or~~ 1503  
~~vocational school, to a public library, to the office of a~~ 1504  
~~county treasurer, to the office of the secretary of state, or to~~ 1505  
~~the office of a board of elections. An applicant who is eligible~~ 1506  
~~to vote as a uniformed services voter or an overseas voter in~~ 1507  
~~accordance with 42 U.S.C. 1973ff-6 also may return the~~ 1508  
~~applicant's completed voter registration form electronically to~~ 1509

~~the office of the secretary of state or to the board of  
elections of the county in which the person's voting residence  
is located pursuant to section 3503.191 of the Revised Code.~~ 1510  
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~~(b) Subject to division (B) (2) (c) of this section, an  
applicant may return the applicant's completed registration form  
through another person to any board of elections or the office  
of the secretary of state.~~ 1513  
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~~(e) A person who receives compensation for registering a  
voter shall return any registration form entrusted to that  
person by an applicant to any board of elections or to the  
office of the secretary of state.~~ 1517  
1518  
1519  
1520

~~(d) (3) 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.~~ 1521  
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(C) (1) A board of elections that receives a voter  
registration ~~application~~ or change of address or change of name  
form and is satisfied as to the truth of the statements made in  
the ~~registration~~ form shall register the applicant or update the 1536  
1537  
1538  
1539

elector's registration, as applicable, not later than twenty 1540  
business days after receiving the application, unless that 1541  
application is received during the thirty days immediately 1542  
preceding the day of an election. The board shall promptly 1543  
notify the ~~applicant~~ person in writing of each of the following: 1544

(a) ~~The applicant's registration~~ fact that the person has 1545  
been registered to vote or had the person's registration 1546  
updated, as applicable; 1547

(b) The precinct in which the ~~applicant~~ person is to vote; 1548

(c) In bold type as follows: 1549

"Voters must bring identification to the polls in order to 1550  
verify identity. Identification may include a current and valid 1551  
photo identification, a military identification, or a copy of a 1552  
current utility bill, bank statement, government check, 1553  
paycheck, or other government document, other than this 1554  
notification, that shows the voter's name and current address. 1555  
Voters who do not provide one of these documents will still be 1556  
able to vote by casting a provisional ballot. Voters who do not 1557  
have any of the above forms of identification, including a 1558  
social security number, will still be able to vote by signing an 1559  
affirmation swearing to the voter's identity under penalty of 1560  
election falsification and by casting a provisional ballot." 1561

(d) If the person was registered to vote or had the 1562  
person's registration updated through the automated voter 1563  
registration and verification system described in section 1564  
3503.11 of the Revised Code, all of the following: 1565

(i) The fact that the person has been registered to vote 1566  
or has had the person's registration updated, as applicable, for 1567  
purposes of the next election occurring at least thirty days 1568

after the date the person submitted the person's information 1569  
under section 3503.11 of the Revised Code; 1570

(ii) The process to decline the registration or update or 1571  
to submit corrected registration information by signing and 1572  
returning the notice to the secretary of state or the board of 1573  
elections; 1574

(iii) A statement that if the person declines to be 1575  
registered to vote or to have the person's registration updated, 1576  
that fact will remain confidential and will only be used for 1577  
voter registration purposes; 1578

(iv) A statement that if the person wishes to be 1579  
registered to vote or to have the person's registration updated, 1580  
the office at which the person submitted the person's 1581  
information will remain confidential and will only be used for 1582  
voter registration purposes. 1583

The notification shall be by nonforwardable mail. If the 1584  
mail is returned to the board, it shall investigate and cause 1585  
the notification to be delivered to the correct address. 1586

(2) If, after investigating as required under division (C) 1587  
(1) of this section, the board is unable to verify the voter's 1588  
correct address, it shall cause the voter's name in the official 1589  
registration list and in the poll list or signature pollbook to 1590  
be marked to indicate that the voter's notification was returned 1591  
to the board. 1592

At the first election at which a voter whose name has been 1593  
so marked appears to vote, the voter shall be required to 1594  
provide identification to the election officials and to vote by 1595  
provisional ballot under section 3505.181 of the Revised Code. 1596  
If the provisional ballot is counted pursuant to division (B) (3) 1597

of section 3505.183 of the Revised Code, the board shall correct 1598  
that voter's registration, if needed, and shall remove the 1599  
indication that the voter's notification was returned from that 1600  
voter's name on the official registration list and on the poll 1601  
list or signature pollbook. If the provisional ballot is not 1602  
counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1603  
section 3505.183 of the Revised Code, the voter's registration 1604  
shall be canceled. The board shall notify the voter by United 1605  
States mail of the cancellation. 1606

(3) If a notice of the disposition of an otherwise valid 1607  
registration application is sent by nonforwardable mail and is 1608  
returned undelivered, the person shall be registered as provided 1609  
in division (C) (2) of this section and sent a confirmation 1610  
~~notice by forwardable mail. If the person fails to respond to~~ 1611  
~~the confirmation notice, update the person's registration, or~~ 1612  
~~vote by provisional ballot as provided in division (C) (2) of~~ 1613  
~~this section in any election during the period of two federal~~ 1614  
~~elections subsequent to the mailing of the confirmation notice,~~ 1615  
~~the person's registration shall be canceled.~~ 1616

(4) (a) If a person who was registered to vote through the 1617  
automated voter registration and verification system described 1618  
in section 3503.11 of the Revised Code declines the registration 1619  
under division (C) (1) (d) (ii) of this section, the board shall 1620  
treat the declination as a request to cancel the person's voter 1621  
registration. 1622

(b) If an elector who had the elector's registration 1623  
updated through the automated voter registration and 1624  
verification system described in section 3503.11 of the Revised 1625  
Code declines the update under division (C) (1) (d) (ii) of this 1626  
section, the board shall correct the elector's voter 1627



registration to reflect the name, address, and signature that it 1628  
contained before the board updated the elector's voter 1629  
registration under that section. 1630

**Sec. 3503.21.** (A) The registration of a registered elector 1631  
shall be canceled upon the occurrence of any of the following: 1632

(1) The filing by a registered elector of a written 1633  
request with a board of elections or the secretary of state, on 1634  
a form prescribed by the secretary of state and signed by the 1635  
elector, that the registration be canceled. The filing of such a 1636  
request does not prohibit an otherwise qualified elector from 1637  
reregistering to vote at any time. 1638

(2) The filing of a notice of the death of a registered 1639  
elector as provided in section 3503.18 of the Revised Code; 1640

(3) The filing with the board of elections of a certified 1641  
copy of the death certificate of a registered elector by the 1642  
deceased elector's spouse, parent, or child, by the 1643  
administrator of the deceased elector's estate, or by the 1644  
executor of the deceased elector's will; 1645

(4) The conviction of the registered elector of a felony 1646  
under the laws of this state, any other state, or the United 1647  
States as provided in section 2961.01 of the Revised Code; 1648

(5) The adjudication of incompetency of the registered 1649  
elector for the purpose of voting as provided in section 1650  
5122.301 of the Revised Code; 1651

~~(6) The change of residence of the registered elector to a~~ 1652  
~~location outside the county of registration in accordance with~~ 1653  
~~division (B) of this section;~~ 1654

~~(7)~~(a) The failure of the registered elector, after having 1655

been mailed a confirmation notice, to do ~~either one or more of~~ 1656  
the following at least once during a period of four consecutive 1657  
years, which period shall include two federal general elections: 1658

~~(a)-(i) Respond to such a confirmation notice and vote at~~ 1659  
~~least once during a period of four consecutive years, which~~ 1660  
~~period shall include two general federal elections;~~ 1661

~~(b)-(ii) Update the elector's registration and vote at~~ 1662  
~~least once during a period of four consecutive years, which~~ 1663  
~~period shall include two general federal elections;~~ 1664

(iii) Have the elector's registration updated under 1665  
section 3503.11 of the Revised Code; 1666

(iv) Conduct a transaction with the registrar of motor 1667  
vehicles or a deputy registrar, as described in division (E) (2) 1668  
of section 3503.11 of the Revised Code; 1669

(v) Vote in an election; 1670

(vi) Sign any petition that is filed with a public office 1671  
for the purpose of becoming a candidate for any nomination or 1672  
office or for the purpose of holding an election on any issue, 1673  
so long as the board of elections verifies the signatures on the 1674  
petition and determines that the elector's signature is valid. 1675

~~(8)-(b) The registration of a registered elector described~~ 1676  
~~in division (A) (6) (a) of this section shall be canceled not~~ 1677  
~~later than one hundred twenty days after the date of the second~~ 1678  
~~federal general election occurring after the elector is mailed a~~ 1679  
~~confirmation notice or not later than one hundred twenty days~~ 1680  
~~after the expiration of the four-year period described in that~~ 1681  
~~division, whichever is later, provided that the registration~~ 1682  
~~shall not be canceled during the ninety days immediately~~ 1683  
~~preceding a federal primary or general election.~~ 1684

(7) The declination of an elector who has been registered 1685  
under section 3503.11 of the Revised Code to register to vote, 1686  
as described in division (C) (4) (a) of section 3503.19 of the 1687  
Revised Code. 1688

(8) The receipt by the board of elections of a 1689  
cancellation notice or request pursuant to section 111.44 of the 1690  
Revised Code. 1691

(B)~~(1)~~ The secretary of state shall prescribe procedures 1692  
to identify and ~~cancel the registration in a prior county of~~ 1693  
~~residence of~~ send a confirmation notice to any registrant who 1694  
changes the registrant's voting residence to a location outside 1695  
the registrant's current county of registration. Any procedures 1696  
prescribed in this division shall be uniform and 1697  
nondiscriminatory, and shall comply with the Voting Rights Act 1698  
of 1965. The secretary of state may prescribe procedures under 1699  
this division that include the use of the national change of 1700  
address service provided by the United States postal system 1701  
through its licensees. Any program so prescribed shall be 1702  
completed not later than ninety days prior to the date of any 1703  
primary or general election for federal office. 1704

~~(2) The registration of any elector identified as having~~ 1705  
~~changed the elector's voting residence to a location outside the~~ 1706  
~~elector's current county of registration shall not be canceled~~ 1707  
~~unless the registrant is sent a confirmation notice on a form~~ 1708  
~~prescribed by the secretary of state and the registrant fails to~~ 1709  
~~respond to the confirmation notice or otherwise update the~~ 1710  
~~registration and fails to vote in any election during the period~~ 1711  
~~of two federal elections subsequent to the mailing of the~~ 1712  
~~confirmation notice.~~ 1713

(C) The registration of a registered elector shall not be 1714

1715 canceled except as provided in this section, section 111.44 of  
1716 the Revised Code, division (Q) of section 3501.05 of the Revised  
1717 Code, division (C) (2) or (C) (4) (a) of section 3503.19 of the  
1718 Revised Code, or division (C) of section 3503.24 of the Revised  
1719 Code.

1720 (D) Boards of elections shall send their voter  
1721 registration information to the secretary of state as required  
1722 under section 3503.15 of the Revised Code. The secretary of  
1723 state may prescribe by rule adopted pursuant to section 111.15  
1724 of the Revised Code the format in which the boards of elections  
1725 must send that information to the secretary of state. In the  
1726 first quarter of each year, the secretary of state shall send  
1727 the information to the national change of address service  
1728 described in division (B) of this section and request that  
1729 service to provide the secretary of state with a list of any  
1730 voters sent by the secretary of state who have moved within the  
1731 last twelve months. The secretary of state shall transmit to  
1732 each appropriate board of elections whatever lists the secretary  
1733 of state receives from that service. The board shall send a\_  
1734 confirmation notice to each person on the list transmitted by  
1735 the secretary of state ~~requesting confirmation of the person's~~  
1736 ~~change of address, together with a postage prepaid, preaddressed~~  
1737 ~~return envelope containing a form on which the voter may verify~~  
1738 ~~or correct the change of address information.~~

1739 ~~(E) The registration of a registered elector described in~~  
1740 ~~division (A) (7) or (B) (2) of this section shall be canceled not~~  
1741 ~~later than one hundred twenty days after the date of the second~~  
1742 ~~general federal election in which the elector fails to vote or~~  
1743 ~~not later than one hundred twenty days after the expiration of~~  
1744 ~~the four year period in which the elector fails to vote or~~  
1745 ~~respond to a confirmation notice, whichever is later.~~

~~(F) (1)~~ (E) (1) When a registration is canceled pursuant to 1746  
division (A) (2) or (3) of this section, the applicable board of 1747  
elections shall send a written notice, on a form prescribed by 1748  
the secretary of state, to the address at which the elector was 1749  
registered, informing the recipient that the elector's 1750  
registration has been canceled, of the reason for the 1751  
cancellation, and that if the cancellation was made in error, 1752  
the elector may contact the board of elections to correct the 1753  
error. 1754

(2) If the elector's registration is canceled pursuant to 1755  
division (A) (2) or (3) of this section in error, it shall be 1756  
restored and treated as though it were never canceled. 1757

**Sec. 3503.28.** (A) The secretary of state shall develop an 1758  
information brochure regarding voter registration. The brochure 1759  
shall include, but is not limited to, all of the following 1760  
information: 1761

(1) The applicable deadlines for registering to vote or 1762  
for ~~returning~~ submitting an applicant's completed registration- 1763  
~~form~~ application; 1764

(2) The applicable deadline for returning an applicant's 1765  
completed registration form if the person returning the form is 1766  
being compensated for registering voters; 1767

(3) The locations ~~to~~ and manner in which a person may- 1768  
~~return an applicant's completed registration form~~ register or be 1769  
registered to vote; 1770

(4) The location to which a person who is compensated for 1771  
registering voters may return an applicant's completed 1772  
registration form; 1773

(5) The registration and affirmation requirements 1774

applicable to persons who are compensated for registering voters 1775  
under section 3503.29 of the Revised Code; 1776

(6) The manner in which a person may decline in writing to 1777  
be registered to vote under the automated voter registration and 1778  
verification system described in section 3503.11 of the Revised 1779  
Code; 1780

(7) A notice, which shall be written in bold type, stating 1781  
as follows: 1782

"Voters must bring identification to the polls in order to 1783  
verify identity. Identification may include a current and valid 1784  
photo identification, a military identification, or a copy of a 1785  
current utility bill, bank statement, government check, 1786  
paycheck, or other government document, other than a voter 1787  
registration notification sent by a board of elections, that 1788  
shows the voter's name and current address. Voters who do not 1789  
provide one of these documents will still be able to vote by 1790  
casting a provisional ballot. Voters who do not have any of the 1791  
above forms of identification, including a social security 1792  
number, will still be able to vote by signing an affirmation 1793  
swearing to the voter's identity under penalty of election 1794  
falsification and by casting a provisional ballot." 1795

(B) Except as otherwise provided in division (D) of this 1796  
section, a board of elections, designated agency, public high 1797  
school, public vocational school, public library, office of a 1798  
county treasurer, or deputy registrar of motor vehicles shall 1799  
distribute a copy of the brochure developed under division (A) 1800  
of this section to any person who requests more than two voter 1801  
registration forms at one time. 1802

(C) (1) The secretary of state shall provide the 1803

information required to be included in the brochure developed 1804  
under division (A) of this section to any person who prints a 1805  
voter registration form that is made available on a web site of 1806  
the office of the secretary of state. 1807

(2) If a board of elections operates and maintains a web 1808  
site, the board shall provide the information required to be 1809  
included in the brochure developed under division (A) of this 1810  
section to any person who prints a voter registration form that 1811  
is made available on that web site. 1812

(D) A board of elections shall not be required to 1813  
distribute a copy of a brochure under division (B) of this 1814  
section to any of the following officials or employees who are 1815  
requesting more than two voter registration forms at one time in 1816  
the course of the official's or employee's normal duties: 1817

(1) An election official; 1818

(2) A county treasurer; 1819

(3) A deputy registrar of motor vehicles; 1820

(4) An employee of a designated agency; 1821

(5) An employee of a public high school; 1822

(6) An employee of a public vocational school; 1823

(7) An employee of a public library; 1824

(8) An employee of the office of a county treasurer; 1825

(9) An employee of the bureau of motor vehicles; 1826

(10) An employee of a deputy registrar of motor vehicles; 1827

(11) An employee of an election official. 1828

(E) As used in this section, "registering voters" includes 1829

any effort, for compensation, to provide voter registration 1830  
forms or to assist persons in completing or returning those 1831  
forms. 1832

**Sec. 3503.30.** (A) When by mistake a qualified elector has 1833  
caused ~~himself~~ the elector to be registered in a precinct ~~which~~ 1834  
~~was that is~~ not his the elector's place of residence, the board 1835  
of elections, on full and satisfactory proof that such error was 1836  
committed by mistake, may, on ~~his~~ the elector's personal 1837  
application and proof of ~~his~~ the elector's true residence, 1838  
correct ~~his~~ the elector's registration form. The board may 1839  
correct all errors occurring in the registration of electors 1840  
when it finds that the errors subject to correction were not of 1841  
fraudulent intent. 1842

(B) When by mistake a qualified elector has been 1843  
registered under section 3503.11 of the Revised Code in a 1844  
precinct or under a name that is not the elector's place of 1845  
residence or name, the board of elections, upon application of 1846  
the elector and proof of the elector's true residence or name, 1847  
as applicable, shall correct the elector's registration form. If 1848  
the elector casts a provisional ballot because the elector's 1849  
registration has been updated erroneously under those sections, 1850  
the elector's provisional ballot shall be eligible to be 1851  
counted, as described in division (E) of section 3505.183 of the 1852  
Revised Code. 1853

**Sec. 3503.33.** (A) If an elector applying for registration 1854  
is already registered in another state or in another county 1855  
within this state, the elector shall declare this fact ~~to the~~ 1856  
~~registration officer and shall sign~~ on the registration form, 1857  
which shall operate as an authorization to cancel the previous 1858  
registration ~~on a form prescribed by the secretary of state.~~ 1859



(B) When the board of elections registers a person to vote 1860  
or updates a person's registration under section 3503.11 of the 1861  
Revised Code, if the board is aware of the person's previous 1862  
residence address and that address is located in another state 1863  
or in another county within this state, the board shall create a 1864  
notice to cancel the previous registration for the purpose of 1865  
complying with division (C) of this section. 1866

(C) The ~~director of the~~ board of elections shall mail all 1867  
~~such~~ authorizations and notices described in division (A) or (B) 1868  
of this section to the board of elections or comparable agency 1869  
of the proper state and county. In the case of a notice 1870  
described in division (B) of this section, the board shall 1871  
include with the notice a copy of the elector's most recent 1872  
registration form. Upon the receipt of this authorization from 1873  
the forwarding county, the director of a board of elections in 1874  
Ohio, upon a comparison of the elector's signature with the 1875  
elector's signature as it appears on the registration files, 1876  
shall remove the elector's registration from the files, and 1877  
place it with the cancellation authorization in a separate file 1878  
which shall be kept for a period of two calendar years. 1879

The board shall notify the elector at the present address 1880  
as shown on the cancellation authorization or notice that ~~his~~ 1881  
the elector's prior registration has been canceled. 1882

(D) If, after the cancellation of an elector's prior 1883  
registration under division (C) (1) of this section, the board of 1884  
elections that sent the notice under division (B) of this 1885  
section receives a declination to register or to update the 1886  
elector's registration under division (C) (4) of section 3503.19 1887  
of the Revised Code, the board shall notify the board of 1888  
elections or comparable agency to which the board sent the 1889

notice under division (B) of this section to restore the 1890  
elector's previous registration and treat it as though it were 1891  
never canceled. 1892

**Sec. 3505.183.** (A) When the ballot boxes are delivered to 1893  
the board of elections from the precincts, the board shall 1894  
separate the provisional ballot envelopes from the rest of the 1895  
ballots. Teams of employees of the board consisting of one 1896  
member of each major political party shall place the sealed 1897  
provisional ballot envelopes in a secure location within the 1898  
office of the board. The sealed provisional ballot envelopes 1899  
shall remain in that secure location until the validity of those 1900  
ballots is determined under division (B) of this section. While 1901  
the provisional ballot is stored in that secure location, and 1902  
prior to the counting of the provisional ballots, if the board 1903  
receives information regarding the validity of a specific 1904  
provisional ballot under division (B) of this section, the board 1905  
may note, on the sealed provisional ballot envelope for that 1906  
ballot, whether the ballot is valid and entitled to be counted. 1907

(B) (1) To determine whether a provisional ballot is valid 1908  
and entitled to be counted, the board shall examine its records 1909  
and determine whether the individual who cast the provisional 1910  
ballot is registered and eligible to vote in the applicable 1911  
election. The board shall examine the information contained in 1912  
the written affirmation executed by the individual who cast the 1913  
provisional ballot under division (B) (2) of section 3505.181 of 1914  
the Revised Code. The following information shall be included in 1915  
the written affirmation in order for the provisional ballot to 1916  
be eligible to be counted: 1917

(a) The individual's printed name, signature, date of 1918  
birth, and current address; 1919

(b) A statement that the individual is a registered voter 1920  
in the precinct in which the provisional ballot is being voted; 1921

(c) A statement that the individual is eligible to vote in 1922  
the election in which the provisional ballot is being voted. 1923

(2) In addition to the information required to be included 1924  
in an affirmation under division (B)(1) of this section, in 1925  
determining whether a provisional ballot is valid and entitled 1926  
to be counted, the board also shall examine any additional 1927  
information for determining ballot validity provided by the 1928  
provisional voter on the affirmation, provided by the 1929  
provisional voter to an election official under section 3505.182 1930  
of the Revised Code, or provided to the board of elections 1931  
during the seven days after the day of the election under 1932  
division (B)(7) of section 3505.181 of the Revised Code, to 1933  
assist the board in determining the individual's eligibility to 1934  
vote. 1935

(3) If, in examining a provisional ballot affirmation and 1936  
additional information under divisions (B)(1) and (2) of this 1937  
section and comparing the information required under division 1938  
(B)(1) of this section with the elector's information in the 1939  
statewide voter registration database, the board determines that 1940  
all of the following apply, the provisional ballot envelope 1941  
shall be opened, and the ballot shall be placed in a ballot box 1942  
to be counted: 1943

(a) The individual named on the affirmation is properly 1944  
registered to vote. 1945

(b) ~~The~~ Except as otherwise provided in divisions (D) and 1946  
(E) of this section, the individual named on the affirmation is 1947  
eligible to cast a ballot in the precinct and for the election 1948

in which the individual cast the provisional ballot. 1949

(c) The individual provided all of the information 1950  
required under division (B)(1) of this section in the 1951  
affirmation that the individual executed at the time the 1952  
individual cast the provisional ballot. 1953

(d) The last four digits of the elector's social security 1954  
number or the elector's driver's license number or state 1955  
identification card number are not different from the last four 1956  
digits of the elector's social security number or the elector's 1957  
driver's license number or state identification card number 1958  
contained in the statewide voter registration database. 1959

(e) Except as otherwise provided in this division, the 1960  
month and day of the elector's date of birth are not different 1961  
from the day and month of the elector's date of birth contained 1962  
in the statewide voter registration database. 1963

This division does not apply to an elector's provisional 1964  
ballot if either of the following is true: 1965

(i) The elector's date of birth contained in the statewide 1966  
voter registration database is January 1, 1800. 1967

(ii) The board of elections has found, by a vote of at 1968  
least three of its members, that the elector has met all other 1969  
requirements of division (B)(3) of this section. 1970

(f) The elector's current address is not different from 1971  
the elector's address contained in the statewide voter 1972  
registration database, unless the elector indicated that the 1973  
elector is casting a provisional ballot because the elector has 1974  
moved and has not submitted a notice of change of address, as 1975  
described in division (A)(6) of section 3505.181 of the Revised 1976  
Code, and except as otherwise provided in division (E) of this 1977

<u>section.</u>	1978
(g) If applicable, the individual provided any additional information required under division (B)(7) of section 3505.181 of the Revised Code within seven days after the day of the election.	1979 1980 1981 1982
(4) (a) Except as otherwise provided in <del>division</del> <u>divisions</u> (D) and (E) of this section, if, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section and comparing the information required under division (B)(1) of this section with the elector's information in the statewide voter registration database, the board determines that any of the following applies, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:	1983 1984 1985 1986 1987 1988 1989 1990 1991
(i) The individual named on the affirmation is not qualified or is not properly registered to vote.	1992 1993
(ii) The individual named on the affirmation is not eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.	1994 1995 1996
(iii) The individual did not provide 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.	1997 1998 1999 2000
(iv) The individual has already cast a ballot for the election in which the individual cast the provisional ballot.	2001 2002
(v) If applicable, the individual did not provide any additional information required under division (B)(7) of section 3505.181 of the Revised Code within seven days after the day of the election.	2003 2004 2005 2006

(vi) The individual failed to provide a current and valid photo identification, a military identification, a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter's name and current address, the individual's driver's license or state identification card number, or the last four digits of the individual's social security number or to execute an affirmation under division (B) of section 3505.181 of the Revised Code.

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

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

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

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

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

(ix) The elector's current address is different from the

elector's address contained in the statewide voter registration 2036  
database, unless the elector indicated that the elector is 2037  
casting a provisional ballot because the elector has moved and 2038  
has not submitted a notice of change of address, as described in 2039  
division (A) (6) of section 3505.181 of the Revised Code. 2040

(b) If, in examining a provisional ballot affirmation and 2041  
additional information under divisions (B) (1) and (2) of this 2042  
section and comparing the information required under division 2043  
(B) (1) of this section with the elector's information in the 2044  
statewide voter registration database, the board is unable to 2045  
determine either of the following, the provisional ballot 2046  
envelope shall not be opened, and the ballot shall not be 2047  
counted: 2048

(i) Whether the individual named on the affirmation is 2049  
qualified or properly registered to vote; 2050

(ii) Whether the individual named on the affirmation is 2051  
eligible to cast a ballot in the precinct or for the election in 2052  
which the individual cast the provisional ballot. 2053

(C) For each provisional ballot rejected under division 2054  
(B) (4) of this section, the board shall record the name of the 2055  
provisional voter who cast the ballot, the identification number 2056  
of the provisional ballot envelope, the names of the election 2057  
officials who determined the validity of that ballot, the date 2058  
and time that the determination was made, and the reason that 2059  
the ballot was not counted, unless the board has already 2060  
recorded that information in another database. 2061

(D) (1) If an individual cast a provisional ballot in a 2062  
precinct in which the individual is not registered and eligible 2063  
to vote, but in the correct polling location for the precinct in 2064

which the individual is registered and eligible to vote, and the 2065  
election official failed to direct the individual to the correct 2066  
precinct, the individual's ballot shall be remade under division 2067  
(D) (2) of this section. The election official shall be deemed to 2068  
have directed the individual to the correct precinct if the 2069  
election official correctly completed the form described in 2070  
division (C) (2) of section 3505.181 of the Revised Code. 2071

(2) A board of elections that remakes a provisional ballot 2072  
under division (D) (1) of this section shall remake the 2073  
provisional ballot on a ballot for the appropriate precinct to 2074  
reflect the offices, questions, and issues for which the 2075  
individual was eligible to cast a ballot and for which the 2076  
individual attempted to cast a provisional ballot. The remade 2077  
ballot shall be counted for each office, question, and issue for 2078  
which the individual was eligible to vote. 2079

(3) ~~If~~ Except as otherwise provided in division (E) (2) of 2080  
this section, if an individual cast a provisional ballot in a 2081  
precinct in which the individual is not registered and eligible 2082  
to vote and in the incorrect polling location for the precinct 2083  
in which the individual is registered and eligible to vote, the 2084  
provisional ballot envelope shall not be opened, and the ballot 2085  
shall not be counted. 2086

~~(E) Provisional~~ (E) (1) If the board determines that a 2087  
provisional ballot is not eligible to be counted under this 2088  
section because the individual's address provided on the 2089  
provisional ballot affirmation is different from the address 2090  
contained in the statewide voter registration database, because 2091  
the individual's name and signature provided on the provisional 2092  
ballot affirmation are different from the name and signature 2093  
contained in the statewide voter registration database, or both, 2094



and both of the following are true, the board shall correct the 2095  
individual's voter registration record to reflect the 2096  
information provided in the provisional ballot affirmation, and 2097  
the provisional ballot nonetheless shall be eligible to be 2098  
counted: 2099

(a) The individual's voter registration was most recently 2100  
updated through the automated voter registration and 2101  
verification system described in section 3503.11 of the Revised 2102  
Code and not at the request of the individual or using 2103  
information the individual submitted to the board of elections 2104  
or the secretary of state; 2105

(b) The individual's voter registration correctly 2106  
reflected the individual's address, name, and signature, as 2107  
provided on the provisional ballot affirmation, immediately 2108  
before that update occurred. 2109

(2) If an individual who cast a provisional ballot that is 2110  
eligible to be counted under division (E)(1) of this section 2111  
cast that ballot in the precinct indicated by the individual's 2112  
voter registration record as updated through the automated voter 2113  
registration and verification system, and not in the precinct in 2114  
which the individual resides, the board shall remake the 2115  
provisional ballot on a ballot for the precinct in which the 2116  
individual resides to reflect the offices, questions, and issues 2117  
for which the individual was eligible to cast a ballot and for 2118  
which the individual attempted to cast a provisional ballot. The 2119  
remade ballot shall be counted for each office, question, and 2120  
issue for which the individual was eligible to vote. 2121

(F) Provisional ballots that are rejected under division 2122  
(B) (4) of this section shall not be counted but shall be 2123  
preserved in their provisional ballot envelopes unopened until 2124

the time provided by section 3505.31 of the Revised Code for the 2125  
destruction of all other ballots used at the election for which 2126  
ballots were provided, at which time they shall be destroyed. 2127

~~(F)~~ (G) Provisional ballots that the board determines are 2128  
eligible to be counted under ~~division (B) (3) or (D) of this~~ 2129  
section shall be counted in the same manner as provided for 2130  
other ballots under section 3505.27 of the Revised Code. No 2131  
provisional ballots shall be counted in a particular county 2132  
until the board determines the eligibility to be counted of all 2133  
provisional ballots cast in that county under ~~division (B) of~~ 2134  
this section for that election. Observers, as provided in 2135  
section 3505.21 of the Revised Code, may be present at all times 2136  
that the board is determining the eligibility of provisional 2137  
ballots to be counted and counting those provisional ballots 2138  
determined to be eligible. No person shall recklessly disclose 2139  
the count or any portion of the count of provisional ballots in 2140  
such a manner as to jeopardize the secrecy of any individual 2141  
ballot. 2142

~~(G)~~ (H) (1) Except as otherwise provided in division ~~(G)~~ (H) 2143  
(2) of this section, nothing in this section shall prevent a 2144  
board of elections from examining provisional ballot 2145  
affirmations and additional information under ~~divisions (B) (1)~~ 2146  
~~and (2) of this section~~ to determine the eligibility of 2147  
provisional ballots to be counted during the ten days after the 2148  
day of an election. 2149

(2) A board of elections shall not examine the provisional 2150  
ballot affirmation and additional information under ~~divisions~~ 2151  
~~(B) (1) and (2) of this section~~ of any provisional ballot cast by 2152  
an individual who must provide additional information to the 2153  
board of elections under division (B) (7) of section 3505.181 of 2154

the Revised Code for the board to determine the individual's 2155  
eligibility until the individual provides that information or 2156  
until the eleventh day after the day of the election, whichever 2157  
is earlier. 2158

**Sec. 3506.24.** (A) As used in this section: 2159

(1) "Elected official" means an elected officer of the 2160  
state, any political subdivision, or the United States, other 2161  
than a member of a central committee of a political party. 2162

(2) "Voter registration system" means software and any 2163  
related equipment used by a board of elections or the secretary 2164  
of state to process, store, organize, maintain, or retrieve 2165  
voter registration records. 2166

(B) (1) No voter registration system, voting machine, 2167  
marking device, or automatic tabulating equipment shall be used 2168  
for the purpose of conducting elections in this state if an 2169  
elected official or the spouse of an elected official is a 2170  
partner, owner, or member of the person or entity that 2171  
manufactured, assembled, or otherwise made the system, machine, 2172  
device, or equipment or of the person or entity from which the 2173  
system, machine, device, or equipment is acquired. 2174

(2) For purposes of division (B) (1) of this section, an 2175  
elected official or the spouse of an elected official is not 2176  
considered an owner of a publicly traded person or entity if the 2177  
elected official's and the spouse's combined ownership interest 2178  
in the person or entity is less than ten per cent. 2179

**Sec. 3509.01.** (A) The board of elections of each county 2180  
shall provide absent voter's ballots for use at every primary 2181  
and general election, or special election to be held on the day 2182  
specified by division (E) of section 3501.01 of the Revised Code 2183

for the holding of a primary election, designated by the general 2184  
assembly for the purpose of submitting constitutional amendments 2185  
proposed by the general assembly to the voters of the state. 2186  
Those ballots shall be the same size, shall be printed on the 2187  
same kind of paper, and shall be in the same form as has been 2188  
approved for use at the election for which those ballots are to 2189  
be voted; except that, in counties using marking devices, ballot 2190  
cards may be used for absent voter's ballots, and those absent 2191  
voters shall be instructed to record the vote in the manner 2192  
provided on the ballot cards. 2193

(B) The rotation of names of candidates and questions and 2194  
issues shall be substantially complied with on absent voter's 2195  
ballots, within the limitation of time allotted. Those ballots 2196  
shall be designated as "Absent Voter's Ballots." Except as 2197  
otherwise provided in division (D) of this section, those 2198  
ballots shall be printed and ready for use as follows: 2199

(1) For overseas voters and absent uniformed services 2200  
voters eligible to vote under the Uniformed and Overseas 2201  
Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 2202  
42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed 2203  
and ready for use other than in person on the forty-sixth day 2204  
before the day of the election. 2205

(2) For all other voters, ~~other than overseas voters and~~ 2206  
~~absent uniformed services voters, who are applying to vote~~ 2207  
~~absent voter's ballots other than in person,~~ ballots shall be 2208  
printed and ready for use on the first day after the close of 2209  
voter registration before the election. 2210

~~(3) For all voters who are applying to vote absent voter's~~ 2211  
~~ballots in person, ballots shall be printed and ready for use~~ 2212  
~~beginning on the first day after the close of voter registration~~ 2213

~~before the election.~~ 2214

~~If, at the time for the close of in person absent voting  
on a particular day, there are voters waiting in line to cast  
their ballots, the in person absent voting location shall be  
kept open until such waiting voters have cast their absent  
voter's ballots.~~ 2215  
2216  
2217  
2218  
2219

(C) Absent voter's ballots provided for use at a general 2220  
or primary election, or special election to be held on the day 2221  
specified by division (E) of section 3501.01 of the Revised Code 2222  
for the holding of a primary election, designated by the general 2223  
assembly for the purpose of submitting constitutional amendments 2224  
proposed by the general assembly to the voters of the state, 2225  
shall include only those questions, issues, and candidacies that 2226  
have been lawfully ordered submitted to the electors voting at 2227  
that election. 2228

(D) If the laws governing the holding of a special 2229  
election on a day other than the day on which a primary or 2230  
general election is held make it impossible for absent voter's 2231  
ballots to be printed and ready for use by the deadlines 2232  
established in division (B) of this section, absent voter's 2233  
ballots for those special elections shall be ready for use as 2234  
many days before the day of the election as reasonably possible 2235  
under the laws governing the holding of that special election. 2236

(E) A copy of the absent voter's ballots shall be 2237  
forwarded by the director of the board in each county to the 2238  
secretary of state at least twenty-five days before the 2239  
election. 2240

**Sec. 3509.02.** (A) Any qualified elector may vote by absent 2241  
voter's ballots at an election. 2242

(B) Any qualified elector who 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, and who moves from one precinct to another within a county, changes the elector's name and moves from one precinct to another within a county, or moves from one county to another county within the state, on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence or change of name may vote by absent voter's ballots in that election as specified in division ~~(C)~~ (E) of section 3503.16 of the Revised Code.

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

(B) Except as otherwise provided in division (C) of this section, the application need not be in any particular form but shall contain all of the following:

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

(a) The elector's driver's license <u>or state identification</u>	2272
<u>card number;</u>	2273
(b) The last four digits of the elector's social security	2274
number;	2275
(c) A copy of the elector's current and valid photo	2276
identification, a copy of a military identification, or a copy	2277
of a current utility bill, bank statement, government check,	2278
paycheck, or other government document, other than a notice of	2279
voter registration mailed by a board of elections under section	2280
3503.19 of the Revised Code, that shows the name and address of	2281
the elector.	2282
(6) A statement identifying the election for which absent	2283
voter's ballots are requested;	2284
(7) A statement that the person requesting the ballots is	2285
a qualified elector;	2286
(8) If the request is for primary election ballots, the	2287
elector's party affiliation;	2288
(9) If the elector desires ballots to be mailed to the	2289
elector, the address to which those ballots shall be mailed.	2290
(C) If the elector has a confidential voter registration	2291
record, as described in section 111.44 of the Revised Code, the	2292
elector may provide the elector's program participant	2293
identification number instead of the address at which the	2294
elector is registered to vote.	2295
(D) <del>Each</del> <u>Except as otherwise provided in division (A) of</u>	2296
<u>section 3509.051 and in division (B) of section 3509.08 of the</u>	2297
<u>Revised Code, an application <del>for</del> to receive absent voter's</u>	2298
<u>ballots shall be delivered to the <del>director</del> office of the board</u>	2299

or submitted through the online system described in section 2300  
3509.031 of the Revised Code, as applicable, not earlier than 2301  
the first day of January of the year of the elections for which 2302  
the absent voter's ballots are requested or not earlier than 2303  
ninety days before the day of the election at which the ballots 2304  
are to be voted, whichever is earlier, and not later than ~~twelve~~ 2305  
~~noon of the third-tenth~~ day before the day of the election at 2306  
which the ballots are to be voted, ~~or not later than six p.m. on~~ 2307  
~~the last Friday before the day of the election at which the~~ 2308  
~~ballots are to be voted if the application is delivered in-~~ 2309  
~~person to the office of the board.~~ 2310

(E) ~~A board of elections that mails an absent voter's~~ 2311  
~~ballot application to an elector under this section~~ No public 2312  
office, and no public official or employee who is acting in an 2313  
official capacity, shall not prepay the return postage for that- 2314  
an application for absent voter's ballots. 2315

(F) Except as otherwise provided in this section and in 2316  
sections 3505.24 and 3509.08 of the Revised Code, an election 2317  
official shall not fill out any portion of an application for 2318  
absent voter's ballots on behalf of an applicant. The secretary 2319  
of state or a board of elections may preprint only an 2320  
applicant's name and address on an application for absent 2321  
voter's ballots before mailing that application to the 2322  
applicant, except that if the applicant has a confidential voter 2323  
registration record, the secretary of state or a board of 2324  
elections shall not preprint the applicant's address on the 2325  
application. 2326

**Sec. 3509.031.** (A) (1) The secretary of state shall 2327  
establish a secure online system for electors to apply for 2328  
absent voter's ballots. The online system shall be available in 2329



addition to the procedures prescribed under section 3511.021 of 2330  
the Revised Code to allow a uniformed services or overseas 2331  
absent voter or a relative of such an absent voter to apply for 2332  
ballots by electronic means. 2333

(2) The online system shall permit an elector to submit 2334  
the application not earlier than the first day of January of the 2335  
year of the election or not earlier than ninety days before the 2336  
day of the election, whichever is earlier, and not later than 2337  
the tenth day before the day of the election. 2338

(B) (1) The online application for absent voter's ballots 2339  
shall require an elector to provide all of the following: 2340

(a) The elector's name; 2341

(b) (i) Except as otherwise provided under division (B) (1) 2342  
(b) (ii) of this section, the address at which the elector is 2343  
registered to vote. 2344

(ii) If the elector has a confidential voter registration 2345  
record, as described in section 111.44 of the Revised Code, the 2346  
elector may provide the elector's program participant 2347  
identification number instead of the address at which the 2348  
elector is registered to vote. 2349

(c) The elector's date of birth; 2350

(d) The elector's Ohio driver's license or state 2351  
identification card number; 2352

(e) The last four digits of the elector's social security 2353  
number; 2354

(f) An indication of the election for which the absent 2355  
voter's ballots are requested; 2356

(g) If the request is for primary election ballots, the 2357  
elector's party affiliation. 2358

(2) The application shall require the applicant to check a 2359  
box affirming under penalty of election falsification that the 2360  
applicant is a qualified elector. 2361

(C) The secretary of state shall transmit each completed 2362  
application submitted through the online system to the board of 2363  
elections of the county in which the elector resides. 2364

(D) The secretary of state shall employ security measures 2365  
necessary to ensure the integrity and accuracy of information 2366  
submitted electronically pursuant to this section. Errors in 2367  
processing applications for absent voter's ballots in the online 2368  
system shall not prevent an elector from receiving absent 2369  
voter's ballots. 2370

**Sec. 3509.04.** (A) If a ~~director of a~~ board of elections 2371  
receives an application for absent voter's ballots that does not 2372  
contain all of the required information, the ~~director board~~ 2373  
promptly shall notify the applicant of the additional 2374  
information required to be provided by the applicant to complete 2375  
that application. 2376

(B) Upon receipt by the ~~director board~~ of elections of an 2377  
application for absent voter's ballots that contains all of the 2378  
required information, as provided by ~~section sections~~ 3509.03 2379  
and 3509.031 and division ~~(C)~~ (E) of section 3503.16 of the 2380  
Revised Code, the ~~director board~~, if the ~~director board~~ finds 2381  
that the applicant is a qualified elector, shall deliver to the 2382  
applicant in person or mail directly to the applicant by special 2383  
delivery mail, air mail, or regular mail, postage prepaid, 2384  
proper absent voter's ballots. The ~~director board~~ shall deliver 2385

or mail with the ballots an unsealed identification envelope 2386  
upon the face of which shall be printed a form substantially as 2387  
follows: 2388

"Identification Envelope Statement of Voter 2389

I, \_\_\_\_\_ (Name of voter), declare under 2390  
penalty of election falsification that the within ballot or 2391  
ballots contained no voting marks of any kind when I received 2392  
them, and I caused the ballot or ballots to be marked, enclosed 2393  
in the identification envelope, and sealed in that envelope. 2394

My voting residence in Ohio is 2395

\_\_\_\_\_ 2396

(Street and Number, if any, or Rural Route and Number) 2397

of \_\_\_\_\_ (City, Village, or Township) 2398

Ohio, which is in Ward \_\_\_\_\_ 2399

Precinct \_\_\_\_\_ in that city, village, or township. 2400

If I have a confidential voter registration record, I am 2401

providing my program participant identification number instead 2402

of my residence address: \_\_\_\_\_ 2403

The primary election ballots, if any, within this envelope 2404

are primary election ballots of the \_\_\_\_\_ Party. 2405

Ballots contained within this envelope are to be voted at 2406

the \_\_\_\_\_ (general, special, or primary) election to be 2407

held on the \_\_\_\_\_ day of 2408

\_\_\_\_\_, \_\_\_\_\_. 2409

My date of birth is \_\_\_\_\_ (Month and Day), 2410

\_\_\_\_\_ (Year). 2411

(Voter must provide ~~one~~ two forms of identification from 2412

the following list:) 2413

My driver's license or state identification card number- 2414  
is: \_\_\_\_\_ ~~(Driver's license number).~~ 2415

The last four digits of my Social Security Number are: 2416  
\_\_\_\_\_ ~~(Last four digits of Social Security Number).~~ 2417

\_\_\_\_\_ ~~In lieu of providing a driver's license number or~~ 2418  
~~the last four digits of my Social Security Number, I am~~ 2419  
~~enclosing a A copy of one of the following in the return~~ 2420  
~~envelope in which this identification envelope will be mailed: a~~ 2421  
current and valid photo identification, a military 2422  
identification, or a current utility bill, bank statement, 2423  
government check, paycheck, or other government document, other 2424  
than a notice of voter registration mailed by a board of 2425  
elections, that shows my name and address. If you provide a copy 2426  
of one or more of those documents, enclose it in the return 2427  
envelope along with the identification envelope. 2428

I hereby declare, under penalty of election falsification, 2429  
that the statements above are true, as I verily believe. 2430

\_\_\_\_\_ (Signature of Voter) 2431

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2432  
THE FIFTH DEGREE." 2433

The ~~director board~~ shall mail with the ballots and the 2434  
unsealed identification envelope an unsealed return envelope 2435  
upon the face of which shall be printed the ~~official title and~~ 2436  
post-office address of the ~~director board~~. In the upper left 2437  
corner on the face of the return envelope, several blank lines 2438  
shall be printed upon which the voter may write the voter's name 2439  
and return address. The return envelope shall be of such size 2440  
that the identification envelope can be conveniently placed 2441

within it for returning the identification envelope to the- 2442  
director board. 2443

~~A board of elections that mails or otherwise delivers~~ 2444  
~~absent voter's ballots to an elector under this section~~ No 2445  
public office, and no public official or employee who is acting 2446  
in an official capacity, shall not ~~prepay~~ the return postage for 2447  
~~these~~ any absent voter's ballots. 2448

Except as otherwise provided in this section and in 2449  
sections 3505.24 and 3509.08 of the Revised Code, an election 2450  
official shall not fill out any portion of an identification 2451  
envelope statement of voter or an absent voter's ballot on 2452  
behalf of an elector. A board of elections may preprint only an 2453  
elector's name and address on an identification envelope 2454  
statement of voter before mailing absent voter's ballots to the 2455  
elector, except that if the elector has a confidential voter 2456  
registration record, as described in section 111.44 of the 2457  
Revised Code, the board of elections shall not preprint the 2458  
elector's address on the identification envelope statement of 2459  
voter. 2460

**Sec. 3509.05.** (A) When an elector receives an absent 2461  
voter's ballot pursuant to the elector's application or request, 2462  
the elector shall, before placing any marks on the ballot, note 2463  
whether there are any voting marks on it. If there are any 2464  
voting marks, the ballot shall be returned immediately to the 2465  
board of elections; otherwise, the elector shall cause the 2466  
ballot to be marked, folded in a manner that the stub on it and 2467  
the indorsements and facsimile signatures of the members of the 2468  
board of elections on the back of it are visible, and placed and 2469  
sealed within the identification envelope received from the 2470  
~~director board~~ of elections for that purpose. Then, the elector 2471

shall cause the statement of voter on the outside of the 2472  
identification envelope to be completed and signed, under 2473  
penalty of election falsification. 2474

~~If the~~ (B) The elector does not shall provide the two 2475  
forms of identification from among the following acceptable 2476  
forms of identification: 2477

(1) The elector's driver's license or state identification 2478  
card number or the provided on the statement of voter on the 2479  
identification envelope; 2480

(2) The last four digits of the elector's social security 2481  
number provided on the statement of voter on the identification 2482  
envelope, the elector also shall include in the return envelope 2483  
with the identification envelope a; 2484

(3) A copy of the elector's current valid photo 2485  
identification, a copy of a military identification, or a copy 2486  
of a current utility bill, bank statement, government check, 2487  
paycheck, or other government document, other than a notice of 2488  
voter registration mailed by a board of elections under section 2489  
3503.19 of the Revised Code, that shows the name and address of 2490  
the elector, included in the return envelope with the 2491  
identification envelope. 2492

(C) (1) The elector shall mail the identification envelope 2493  
to the director from whom it was received office of the board of 2494  
elections in the return envelope, postage prepaid, or the 2495  
elector may personally deliver it to the director office of the 2496  
board, or the spouse of the elector, the father, mother, father- 2497  
in-law, mother-in-law, grandfather, grandmother, brother, or 2498  
sister of the whole or half blood, or the son, daughter, 2499  
adopting parent, adopted child, stepparent, stepchild, uncle, 2500

aunt, nephew, or niece of the elector may deliver it to the- 2501  
~~director office of the board.~~ The return envelope shall be 2502  
~~transmitted to the director returned by no other person,~~ in no 2503  
other manner, and to no other location, except as otherwise 2504  
provided in division (C) (2) of this section and in section 2505  
3509.08 of the Revised Code. 2506

~~When absent voter's ballots are delivered to an elector at~~ 2507  
~~the office of the board, the elector may retire to a voting-~~ 2508  
~~compartment provided by the board and there mark the ballots.-~~ 2509  
~~Thereupon, the elector shall fold them, place them in the-~~ 2510  
~~identification envelope provided, seal the envelope, fill in and~~ 2511  
~~sign the statement on the envelope under penalty of election-~~ 2512  
~~falsification, and deliver the envelope to the director of the-~~ 2513  
~~board.~~ 2514

(2) During the period of a statewide emergency declared by 2515  
the governor, the board of elections may establish a single 2516  
secure outdoor drop box at the office of the board for the 2517  
purpose of receiving ballots under this section, so long as the 2518  
drop box is monitored by video surveillance twenty-four hours a 2519  
day during the time that ballots may be deposited in the drop 2520  
box. Only the elector or the elector's relative listed in 2521  
division (C) (1) (a) of this section may deposit the elector's 2522  
ballots in the drop box. 2523

(D) (1) Except as otherwise provided in division (B) (D) (2) 2524  
of this section, all ~~other~~ envelopes containing marked absent 2525  
voter's ballots shall be delivered to the ~~director office of the~~ 2526  
board not later than the close of the polls on the day of an 2527  
election. Absent voter's ballots delivered to the ~~director-~~ 2528  
office of the board later than the times specified shall not be 2529  
counted, but shall be kept by the board in the sealed 2530

identification envelopes in which they are delivered ~~to the~~ 2531  
~~director~~, until the time provided by section 3505.31 of the 2532  
Revised Code for the destruction of all other ballots used at 2533  
the election for which ballots were provided, at which time they 2534  
shall be destroyed. 2535

~~(B) (1) (2) (a)~~ Except as otherwise provided in division ~~(B)~~ 2536  
~~(2) (D) (2) (b)~~ of this section, any return envelope that is 2537  
postmarked prior to the day of the election shall be delivered 2538  
to the ~~director office of the board~~ prior to the eleventh day 2539  
after the election. Ballots delivered in envelopes postmarked 2540  
prior to the day of the election that are received after the 2541  
close of the polls on election day through the tenth day 2542  
thereafter shall be counted on the eleventh day at the board of 2543  
elections in the manner provided in divisions (C) and (D) of 2544  
section 3509.06 of the Revised Code or in the manner provided in 2545  
division (E) of that section, as applicable. Any such ballots 2546  
that are received ~~by at the director office of the board~~ later 2547  
than the tenth day following the election shall not be counted, 2548  
but shall be kept by the board in the sealed identification 2549  
envelopes as provided in division (A) of this section. 2550

~~(2) (b)~~ Division ~~(B) (1) (D) (2) (a)~~ of this section shall 2551  
not apply to any mail that is postmarked using a postage 2552  
evidencing system, including a postage meter, as defined in 39 2553  
C.F.R. 501.1. 2554

**Sec. 3509.051.** An elector may appear at the office of the 2555  
board of elections to cast absent voter's ballots in person 2556  
instead of applying for those ballots under section 3509.03 or 2557  
3509.031 of the Revised Code. Notwithstanding section 3509.05 or 2558  
any other provision of the Revised Code to the contrary, all of 2559  
the following shall apply to the casting of absent voter's 2560



ballots in person: 2561

~~(A) The~~ (A) (1) In-person absent voting shall be permitted 2562  
during the period beginning on the first day after the close of 2563  
voter registration before the election and ending on the Sunday 2564  
before the day of the election. 2565

(2) If, at the time for the close of in-person absent 2566  
voting on a particular day, there are voters waiting in line to 2567  
cast their ballots, the in-person absent voting location shall 2568  
be kept open until such waiting voters have cast their absent 2569  
voter's ballots. 2570

(B) An in-person absent voter shall provide identification 2571  
to the election officials in ~~the same manner as~~ accordance with 2572  
one of the following: 2573

~~(1) As a voter who casts a ballot in person on the day of~~ 2574  
~~an election is required to provide~~ The voter shall provide a 2575  
current and valid photo identification, a military 2576  
identification, or a copy of a current utility bill, bank 2577  
statement, government check, paycheck, or other government 2578  
document, other than a notice of voter registration mailed by a 2579  
board of elections under section ~~3505.18~~ 3503.19 of the Revised 2580  
Code; ~~or~~ that shows the name and current address of the voter. 2581

~~(2) As a voter who casts an absent voter's ballot is~~ 2582  
~~required to submit a completed written application for an absent~~ 2583  
~~voter's ballot under section 3509.03 of the Revised Code~~ The 2584  
voter shall provide both of the following: 2585

(a) The voter's driver's license or state identification 2586  
card number; 2587

(b) The last four digits of the voter's social security 2588  
number. 2589

~~(B)~~ (C) The absent voter shall not be required to complete 2590  
a written application for absent voter's ballots or a statement 2591  
of voter on an absent voter's ballot identification envelope. 2592

~~(C)~~ (D) The board of elections shall provide a signature 2593  
book to be signed by absent voters who are casting their ballots 2594  
in person. 2595

~~(D)~~ (E) No person other than an election official shall be 2596  
permitted to challenge the right to vote of an absent voter who 2597  
is casting a ballot in person. An election official may 2598  
challenge the right to vote of an absent voter who is casting a 2599  
ballot in person in the same manner as a precinct election 2600  
official may challenge the right to vote of an elector on the 2601  
day of an election under section 3505.20 or 3513.19 of the 2602  
Revised Code. 2603

~~(E)~~ (F) No absent voter may receive a replacement ballot 2604  
after the voter's absent voter's ballot has been scanned or 2605  
entered into automatic tabulating equipment. 2606

**Sec. 3509.06.** (A) The board of elections shall determine 2607  
whether absent voter's ballots shall be processed and counted in 2608  
each precinct, at the office of the board, or at some other 2609  
location designated by the board, and shall proceed accordingly 2610  
under division (B), (C), or (E) of this section, as applicable. 2611

(B) (1) Except as otherwise provided in division (B) (2) of 2612  
this section, when the board of elections determines that absent 2613  
voter's ballots shall be processed and counted in each precinct, 2614  
the ~~director~~ board shall deliver to the voting location manager 2615  
of each precinct on election day identification envelopes 2616  
purporting to contain absent voter's ballots of electors whose 2617  
voting residence appears from the statement of voter on the 2618

outside of each of those envelopes, to be located in that 2619  
manager's precinct, and which were received by the ~~director~~ 2620  
board not later than the close of the polls on election day. The 2621  
~~director~~ board shall deliver to the voting location manager a 2622  
list containing the name and voting residence of each person 2623  
whose voting residence is in such precinct to whom absent 2624  
voter's ballots were mailed. 2625

(2) The ~~director~~ board shall not deliver to the voting 2626  
location manager identification envelopes cast by electors who 2627  
provided a program participant identification number instead of 2628  
a residence address on the identification envelope and shall not 2629  
inform the voting location manager of the names and voting 2630  
residences of persons who have confidential voter registration 2631  
records. Those identification envelopes shall be examined and 2632  
processed as described in division (E) of this section. 2633

(C) When the board of elections determines that absent 2634  
voter's ballots shall be processed and counted at the office of 2635  
the board of elections or at another location designated by the 2636  
board, special election officials shall be appointed by the 2637  
board for that purpose having the same authority as is exercised 2638  
by precinct election officials. The votes so cast shall be added 2639  
to the vote totals by the board, and the absent voter's ballots 2640  
shall be preserved separately by the board, in the same manner 2641  
and for the same length of time as provided by section 3505.31 2642  
of the Revised Code. 2643

(D) Each of the identification envelopes purporting to 2644  
contain absent voter's ballots delivered to the voting location 2645  
manager of the precinct or the special election official 2646  
appointed by the board of elections shall be handled as follows: 2647

(1) The election officials shall compare the signature of 2648

the elector on the outside of the identification envelope with 2649  
the signature of that elector on the elector's registration form 2650  
and verify that the absent voter's ballot is eligible to be 2651  
counted under section 3509.07 of the Revised Code. 2652

(2) (a) Any of the precinct officials may challenge the 2653  
right of the elector named on the identification envelope to 2654  
vote the absent voter's ballots upon the ground that the 2655  
signature on the envelope is not the same as the signature on 2656  
the registration form, that the identification envelope 2657  
statement of voter is incomplete, or upon any other of the 2658  
grounds upon which the right of persons to vote may be lawfully 2659  
challenged. 2660

(b) If the elector's name does not appear in the pollbook 2661  
or poll list or signature pollbook, the precinct officials shall 2662  
deliver the absent voter's ballots to the director of the board 2663  
of elections to be examined and processed in the manner 2664  
described in division (E) of this section. 2665

(3) (a) An identification envelope statement of voter shall 2666  
be considered incomplete if it does not include all of the 2667  
following: 2668

(i) The voter's name; 2669

(ii) The voter's residence address or, if the voter has a 2670  
confidential voter registration record, as described in section 2671  
111.44 of the Revised Code, the voter's program participant 2672  
identification number; 2673

(iii) The voter's date of birth. The requirements of this 2674  
division are satisfied if the voter provided a date of birth and 2675  
any of the following is true: 2676

(I) The month and day of the voter's date of birth on the 2677

identification envelope statement of voter are not different 2678  
from the month and day of the voter's date of birth contained in 2679  
the statewide voter registration database. 2680

(II) The voter's date of birth contained in the statewide 2681  
voter registration database is January 1, 1800. 2682

(III) The board of elections has found, by a vote of at 2683  
least three of its members, that the voter has met the 2684  
requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of 2685  
this section. 2686

(iv) The voter's signature; and 2687

(v) ~~One of the following~~ Two forms of identification from 2688  
among the following: 2689

(I) The voter's driver's license or state identification 2690  
card number; 2691

(II) The last four digits of the voter's social security 2692  
number; ~~or~~ 2693

(III) A copy of a current and valid photo identification, 2694  
a military identification, or a current utility bill, bank 2695  
statement, government check, paycheck, or other government 2696  
document, other than a notice of voter registration mailed by a 2697  
board of elections, that shows the voter's name and address. 2698

(b) If the election officials find that the identification 2699  
envelope statement of voter is incomplete or that the 2700  
information contained in that statement does not conform to the 2701  
information contained in the statewide voter registration 2702  
database concerning the voter, the election officials shall mail 2703  
a written notice to the voter, informing the voter of the nature 2704  
of the defect. The notice shall inform the voter that in order 2705

for the voter's ballot to be counted, the voter must provide the 2706  
necessary information to the board of elections in writing and 2707  
on a form prescribed by the secretary of state not later than 2708  
the seventh day after the day of the election. The voter may 2709  
deliver the form to the office of the board in person or by 2710  
mail. If the voter provides the necessary information to the 2711  
board of elections not later than the seventh day after the day 2712  
of the election and the ballot is not successfully challenged on 2713  
another basis, the voter's ballot shall be processed and counted 2714  
in accordance with this section. 2715

(4) If no such challenge is made, or if such a challenge 2716  
is made and not sustained, the voting location manager shall 2717  
open the envelope without defacing the statement of voter and 2718  
without mutilating the ballots in it, and shall remove the 2719  
ballots contained in it and proceed to count them. 2720

(5) (a) Except as otherwise provided in division (D) (5) (b) 2721  
of this section, the name of each person voting who is entitled 2722  
to vote only an absent voter's presidential ballot shall be 2723  
entered in a pollbook or poll list or signature pollbook 2724  
followed by the words "Absentee Presidential Ballot." The name 2725  
of each person voting an absent voter's ballot, other than such 2726  
persons entitled to vote only a presidential ballot, shall be 2727  
entered in the pollbook or poll list or signature pollbook and 2728  
the person's registration card marked to indicate that the 2729  
person has voted. 2730

(b) If the person voting has a confidential voter 2731  
registration record, the person's registration card shall be 2732  
marked to indicate that the person has voted, but the person's 2733  
name shall not be entered in the pollbook or poll list or 2734  
signature pollbook. 2735

(6) The date of such election shall also be entered on the 2736  
elector's registration form. If any such challenge is made and 2737  
sustained, the identification envelope of such elector shall not 2738  
be opened, shall be endorsed "Not Counted" with the reasons the 2739  
ballots were not counted, and shall be delivered to the board. 2740

(E) (1) When the board of elections receives absent voter's 2741  
ballots from an elector who has provided a program participant 2742  
identification number instead of a residence address on the 2743  
identification envelope statement of voter, the director and the 2744  
deputy director personally shall examine and process the 2745  
identification envelope statement of voter in the manner 2746  
prescribed in division (D) of this section. 2747

(2) If the director and the deputy director find that the 2748  
identification envelope statement of voter is incomplete or that 2749  
the information contained in that statement does not conform to 2750  
the information contained in the statewide voter registration 2751  
database concerning the voter or to the information contained in 2752  
the voter's confidential voter registration record, the director 2753  
and the deputy director shall mail a written notice to the voter 2754  
informing the voter of the nature of the defect. The notice 2755  
shall inform the voter that in order for the voter's ballot to 2756  
be counted the voter must provide the necessary information to 2757  
the board of elections in writing and on a form prescribed by 2758  
the secretary of state not later than the seventh day after the 2759  
day of the election. The voter may deliver the form to the 2760  
office of the board in person or by mail. If the voter provides 2761  
the necessary information to the board of elections not later 2762  
than the seventh day after the day of the election and the 2763  
ballot is not successfully challenged on another basis, the 2764  
voter's ballot shall be counted in accordance with this section. 2765

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

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

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

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

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

(3) Determining the validity of the absent voter's ballot



under section 3509.07 of the Revised Code; 2795

(4) Preparing and sorting the absent voter's ballot for 2796  
scanning by automatic tabulating equipment; 2797

(5) Scanning the absent voter's ballot by automatic 2798  
tabulating equipment, if the equipment used by the board of 2799  
elections permits an absent voter's ballot to be scanned without 2800  
tabulating or counting the votes on the ballots scanned. 2801

(G) Special election officials, employees or members of 2802  
the board of elections, or observers shall not disclose the 2803  
count or any portion of the count of absent voter's ballots 2804  
prior to the time of the closing of the polling places. No 2805  
person shall recklessly disclose the count or any portion of the 2806  
count of absent voter's ballots in such a manner as to 2807  
jeopardize the secrecy of any individual ballot. 2808

(H) (1) Except as otherwise provided in division (H) (2) of 2809  
this section, observers may be appointed under section 3505.21 2810  
of the Revised Code to witness the examination and opening of 2811  
identification envelopes and the processing and counting of 2812  
absent voters' ballots under this section. 2813

(2) Observers shall not be permitted to witness the 2814  
examination and opening of identification envelopes returned by, 2815  
and the processing and counting of absent voter's ballots cast 2816  
by, electors who have confidential voter registration records in 2817  
a manner that would permit the observers to learn the identities 2818  
or residence addresses of those electors. 2819

**Sec. 3509.07.** If election officials find that any of the 2820  
following are true concerning an absent voter's ballot or absent 2821  
voter's presidential ballot and, if applicable, the person did 2822  
not provide any required additional information to the board of 2823

elections not later than the seventh day after the day of the 2824  
election, as permitted under division (D) (3) (b) or (E) (2) of 2825  
section 3509.06 of the Revised Code, the ballot shall not be 2826  
accepted or counted: 2827

(A) The statement accompanying the ballot is incomplete as 2828  
described in division (D) (3) (a) of section 3509.06 of the 2829  
Revised Code or is insufficient; 2830

(B) The signatures do not correspond with the person's 2831  
registration signature; 2832

(C) The applicant is not a qualified elector in the 2833  
precinct; 2834

(D) The ballot envelope contains more than one ballot of 2835  
any one kind, or any voted ballot that the elector is not 2836  
entitled to vote; 2837

(E) Stub A is detached from the absent voter's ballot or 2838  
absent voter's presidential ballot; or 2839

(F) The elector has not included two forms of 2840  
identification with the elector's ballot ~~any identification, as~~ 2841  
required under section 3509.05 or 3511.09 of the Revised Code. 2842

The vote of any absent voter may be challenged for cause 2843  
in the same manner as other votes are challenged, and the 2844  
election officials shall determine the legality of that ballot. 2845  
Every ballot not counted shall be endorsed on its back "Not 2846  
Counted" with the reasons the ballot was not counted, and shall 2847  
be enclosed and returned to or retained by the board of 2848  
elections along with the contested ballots. 2849

**Sec. 3509.08.** (A) Any qualified elector, who, on account 2850  
of the elector's own personal illness, physical disability, or 2851

infirmary, or on account of the elector's confinement in a jail 2852  
or workhouse under sentence for a misdemeanor or awaiting trial 2853  
on a felony or misdemeanor, will be unable to travel from the 2854  
elector's home or place of confinement to the voting booth in 2855  
the elector's precinct on the day of any general, special, or 2856  
primary election may make application in writing for an absent 2857  
voter's ballot to ~~the director of the~~ board of elections of the 2858  
elector's county in the manner described in section 3509.03 of 2859  
the Revised Code. The application ~~shall include all of the~~ 2860  
~~information required under section 3509.03 of the Revised Code~~ 2861  
~~and~~ shall state the nature of the elector's illness, physical 2862  
disability, or infirmity, or the fact that the elector is 2863  
confined in a jail or workhouse and the elector's resultant 2864  
inability to travel to the election booth in the elector's 2865  
precinct on election day. ~~The application shall not be valid if~~ 2866  
~~it is delivered to the director before the ninetieth day or~~ 2867  
~~after twelve noon of the third day before the day of the~~ 2868  
~~election at which the ballot is to be voted.~~ 2869

The absent voter's ballot may be mailed directly to the 2870  
applicant at the applicant's voting residence or place of 2871  
confinement as stated in the applicant's application, or the 2872  
board may designate two board employees belonging to the two 2873  
major political parties for the purpose of delivering the ballot 2874  
to the disabled or confined elector and returning it to the 2875  
board, unless the applicant is confined to a public or private 2876  
institution within the county, in which case the board shall 2877  
designate two board employees belonging to the two major 2878  
political parties for the purpose of delivering the ballot to 2879  
the disabled or confined elector and returning it to the board. 2880  
In all other instances, the ballot shall be returned to the 2881  
office of the board in the manner prescribed in section 3509.05 2882

of the Revised Code. 2883

Any disabled or confined elector who declares to the two 2884  
board employees belonging to the two major political parties 2885  
that the elector is unable to mark the elector's ballot by 2886  
reason of physical infirmity that is apparent to the employees 2887  
to be sufficient to incapacitate the voter from marking the 2888  
elector's ballot properly, may receive, upon request, the 2889  
assistance of the employees in marking the elector's ballot, and 2890  
they shall thereafter give no information in regard to this 2891  
matter. Such assistance shall not be rendered for any other 2892  
cause. 2893

When two board employees belonging to the two major 2894  
political parties deliver a ballot to a disabled or confined 2895  
elector, each of the employees shall be present when the ballot 2896  
is delivered, when assistance is given, and when the ballot is 2897  
returned to the office of the board, and shall subscribe to the 2898  
declaration on the identification envelope. 2899

The secretary of state shall prescribe the form of 2900  
application for absent voter's ballots under this division. 2901

This chapter applies to disabled and confined absent 2902  
voter's ballots except as otherwise provided in this section. 2903

(B) (1) Any qualified elector who is unable to travel to 2904  
the voting booth in the elector's precinct on the day of any 2905  
general, special, or primary election may apply to ~~the director~~ 2906  
~~of~~ the board of elections of the county where the elector is a 2907  
qualified elector to vote in the election by absent voter's 2908  
ballot if either of the following apply: 2909

(a) The elector is confined in a hospital as a result of 2910  
an accident or unforeseeable medical emergency occurring before 2911

the election; 2912

(b) The elector's minor child is confined in a hospital as 2913  
a result of an accident or unforeseeable medical emergency 2914  
occurring before the election. 2915

(2) The application authorized under division (B) (1) of 2916  
this section shall be made in writing, ~~shall include all of the~~ 2917  
~~information required under~~ in the manner described in section 2918  
3509.03 of the Revised Code, ~~and except that the application~~ 2919  
shall be delivered to the ~~director office of the board~~ not later 2920  
than three p.m. on the day of the election. The application 2921  
shall indicate the hospital where the applicant or the 2922  
applicant's child is confined, the date of the applicant's or 2923  
the applicant's child's admission to the hospital, and the 2924  
offices for which the applicant is qualified to vote. The 2925  
applicant may also request that a member of the applicant's 2926  
family, as listed in section 3509.05 of the Revised Code, 2927  
deliver the absent voter's ballot to the applicant. ~~The director~~ 2928  
~~board~~, after establishing to the ~~director's board's~~ satisfaction 2929  
the validity of the circumstances claimed by the applicant, 2930  
shall supply an absent voter's ballot to be delivered to the 2931  
applicant. When the applicant or the applicant's child is in a 2932  
hospital in the county where the applicant is a qualified 2933  
elector and no request is made for a member of the family to 2934  
deliver the ballot, the ~~director board~~ shall arrange for the 2935  
delivery of an absent voter's ballot to the applicant, and for 2936  
its return to the office of the board, by two board employees 2937  
belonging to the two major political parties according to the 2938  
procedures prescribed in division (A) of this section. When the 2939  
applicant or the applicant's child is in a hospital outside the 2940  
county where the applicant is a qualified elector and no request 2941  
is made for a member of the family to deliver the ballot, the 2942

~~director board~~ shall arrange for the delivery of an absent voter's ballot to the applicant by mail, and the ballot shall be returned to the office of the board in the manner prescribed in section 3509.05 of the Revised Code.

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

(C) Any qualified elector described in division (A) or (B) (1) of this section who needs no assistance to vote or to return absent voter's ballots to the board of elections may apply for absent voter's ballots under section 3509.03, 3509.031, or 3509.051 of the Revised Code instead of applying for them under this section.

**Sec. 3509.09.** (A) The poll list or signature pollbook for each precinct shall identify each registered elector in that precinct who has requested an absent voter's ballot for that election, other than an elector who has a confidential voter registration record, as described in section 111.44 of the Revised Code.

(B) (1) If a registered elector appears to vote in that precinct and that elector has requested an absent voter's ballot for that election but the ~~director board of elections~~ has not

received a sealed identification envelope purporting to contain 2973  
that elector's voted absent voter's ballots for that election, 2974  
the elector shall be permitted to cast a provisional ballot 2975  
under section 3505.181 of the Revised Code in that precinct on 2976  
the day of that election. 2977

(2) If a registered elector appears to vote in that 2978  
precinct and that elector has requested an absent voter's ballot 2979  
for that election and the ~~director~~board has received a sealed 2980  
identification envelope purporting to contain that elector's 2981  
voted absent voter's ballots for that election, the elector 2982  
shall be permitted to cast a provisional ballot under section 2983  
3505.181 of the Revised Code in that precinct on the day of that 2984  
election. 2985

(C) (1) In counting absent voter's ballots under section 2986  
3509.06 of the Revised Code, the board of elections shall 2987  
compare the signature of each elector from whom the ~~director~~board 2988  
board has received a sealed identification envelope purporting 2989  
to contain that elector's voted absent voter's ballots for that 2990  
election to the signature on that elector's registration form. 2991  
Except as otherwise provided in division (C) (3) of this section, 2992  
if the board of elections determines that the absent voter's 2993  
ballot in the sealed identification envelope is valid, it shall 2994  
be counted. If the board of elections determines that the 2995  
signature on the sealed identification envelope purporting to 2996  
contain the elector's voted absent voter's ballot does not match 2997  
the signature on the elector's registration form, the ballot 2998  
shall be set aside and the board shall examine, during the time 2999  
prior to the beginning of the official canvass, the poll list or 3000  
signature pollbook from the precinct in which the elector is 3001  
registered to vote to determine if the elector also cast a 3002  
provisional ballot under section 3505.181 of the Revised Code in 3003

that precinct on the day of the election. 3004

(2) The board of elections shall count the provisional 3005  
ballot, instead of the absent voter's ballot, if both of the 3006  
following apply: 3007

(a) The board of elections determines that the signature 3008  
of the elector on the outside of the identification envelope in 3009  
which the absent voter's ballots are enclosed does not match the 3010  
signature of the elector on the elector's registration form; 3011

(b) The elector cast a provisional ballot in the precinct 3012  
on the day of the election. 3013

(3) If the board of elections does not receive the sealed 3014  
identification envelope purporting to contain the elector's 3015  
voted absent voter's ballot by the applicable deadline 3016  
established under section 3509.05 of the Revised Code, the 3017  
provisional ballot cast under section 3505.181 of the Revised 3018  
Code in that precinct on the day of the election shall be 3019  
counted as valid, if that provisional ballot is otherwise 3020  
determined to be valid pursuant to section 3505.183 of the 3021  
Revised Code. 3022

(D) If the board of elections counts a provisional ballot 3023  
under division (C) (2) or (3) of this section, the returned 3024  
identification envelope of that elector shall not be opened, and 3025  
the ballot within that envelope shall not be counted. The 3026  
identification envelope shall be endorsed "Not Counted" with the 3027  
reason the ballot was not counted. 3028

**Sec. 3511.02.** (A) Notwithstanding any section of the 3029  
Revised Code to the contrary, whenever any person applies for 3030  
registration as a voter on a form adopted in accordance with 3031  
federal regulations relating to the "Uniformed and Overseas 3032



Citizens Absentee Voting Act," 100 Stat. 924, 42 U.S.C.A. 1973ff 3033  
(1986), this application shall be sufficient for voter 3034  
registration and as a request for an absent voter's ballot. 3035  
Uniformed services or overseas absent voter's ballots may be 3036  
obtained by any person meeting the requirements of section 3037  
3511.011 of the Revised Code by applying electronically to the 3038  
secretary of state or to the board of elections of the county in 3039  
which the person's voting residence is located in accordance 3040  
with section 3511.021 of the Revised Code or by applying to the 3041  
~~director of the~~ board of elections of the county in which the 3042  
person's voting residence is located, in one of the following 3043  
ways: 3044

(1) That person may make written application for those 3045  
ballots. The person may personally deliver the application to 3046  
the ~~director~~ office of the board or may mail it, send it by 3047  
facsimile machine, send it by electronic mail, send it through 3048  
internet delivery if such delivery is offered by the board of 3049  
elections or the secretary of state, or otherwise send it to the 3050  
~~director~~ board. Except as otherwise provided in division (B) of 3051  
this section, the application need not be in any particular form 3052  
but shall contain all of the following information: 3053

(a) The elector's name; 3054  
(b) The elector's signature; 3055  
(c) The address at which the elector is registered to 3056  
vote; 3057

(d) The elector's date of birth; 3058

(e) One of the following: 3059

(i) The elector's driver's license or state identification 3060  
card number; 3061

(ii) The last four digits of the elector's social security number;	3062 3063
(iii) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	3064 3065 3066 3067 3068 3069 3070
(f) A statement identifying the election for which absent voter's ballots are requested;	3071 3072
(g) A statement that the person requesting the ballots is a qualified elector;	3073 3074
(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;	3075 3076 3077
(i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, whichever is applicable;	3078 3079 3080 3081 3082 3083 3084 3085
(j) If the request is for primary election ballots, the elector's party affiliation;	3086 3087
(k) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;	3088 3089

(l) If the elector desires ballots to be sent to the 3090  
elector by facsimile machine, the telephone number to which they 3091  
shall be so sent; 3092

(m) If the elector desires ballots to be sent to the 3093  
elector by electronic mail or, if offered by the board of 3094  
elections or the secretary of state, through internet delivery, 3095  
the elector's electronic mail address or other internet contact 3096  
information. 3097

(2) A voter or any relative of a voter listed in division 3098  
(A) (3) of this section may use a single federal post card 3099  
application to apply for uniformed services or overseas absent 3100  
voter's ballots for use at the primary and general elections in 3101  
a given year and any special election to be held on the day in 3102  
that year specified by division (E) of section 3501.01 of the 3103  
Revised Code for the holding of a primary election, designated 3104  
by the general assembly for the purpose of submitting 3105  
constitutional amendments proposed by the general assembly to 3106  
the voters of the state. A single federal postcard application 3107  
shall be processed by the board of elections pursuant to section 3108  
3511.04 of the Revised Code the same as if the voter had applied 3109  
separately for uniformed services or overseas absent voter's 3110  
ballots for each election. 3111

(3) Application to have uniformed services or overseas 3112  
absent voter's ballots mailed or sent by facsimile machine to 3113  
such a person may be made by the spouse, father, mother, father- 3114  
in-law, mother-in-law, grandfather, grandmother, brother or 3115  
sister of the whole blood or half blood, son, daughter, adopting 3116  
parent, adopted child, stepparent, stepchild, daughter-in-law, 3117  
son-in-law, uncle, aunt, nephew, or niece of such a person. The 3118  
application shall be in writing upon a blank form furnished only 3119

by the ~~director-board~~ or on a single federal post card as 3120  
provided in division (A) (2) of this section. The form of the 3121  
application shall be prescribed by the secretary of state. The 3122  
~~director-board~~ shall furnish that blank form to any of the 3123  
relatives specified in this division desiring to make the 3124  
application, only upon the request of such a relative made in 3125  
person at the office of the board or upon the written request of 3126  
such a relative mailed to the office of the board. Except as 3127  
otherwise provided in division (B) of this section, the 3128  
application, subscribed and sworn to by the applicant, shall 3129  
contain all of the following: 3130

(a) The full name of the elector for whom ballots are 3131  
requested; 3132

(b) A statement that the elector is an absent uniformed 3133  
services voter or overseas voter as defined in 42 U.S.C. 1973ff- 3134  
6; 3135

(c) The address at which the elector is registered to 3136  
vote; 3137

(d) A statement identifying the elector's length of 3138  
residence in the state immediately preceding the commencement of 3139  
service, immediately preceding the date of leaving to be with or 3140  
near a service member, or immediately preceding leaving the 3141  
United States, or a statement that the elector's parent or legal 3142  
guardian resided in this state long enough to establish 3143  
residency for voting purposes immediately preceding leaving the 3144  
United States, as the case may be; 3145

(e) The elector's date of birth; 3146

(f) One of the following: 3147

(i) The elector's driver's license or state identification 3148

<u>card number;</u>	3149
(ii) The last four digits of the elector's social security number;	3150 3151
(iii) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	3152 3153 3154 3155 3156 3157 3158
(g) A statement identifying the election for which absent voter's ballots are requested;	3159 3160
(h) A statement that the person requesting the ballots is a qualified elector;	3161 3162
(i) If the request is for primary election ballots, the elector's party affiliation;	3163 3164
(j) A statement that the applicant bears a relationship to the elector as specified in division (A) (3) of this section;	3165 3166
(k) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through internet delivery;	3167 3168 3169 3170 3171 3172 3173
(l) The signature and address of the person making the application.	3174 3175
(B) If the elector has a confidential voter registration	3176

record, as described in section 111.44 of the Revised Code, the 3177  
application may include the elector's program participant 3178  
identification number instead of the address at which the 3179  
elector is registered to vote. 3180

(C) Each application for uniformed services or overseas 3181  
absent voter's ballots shall be delivered to the ~~director office~~ 3182  
of the board not earlier than the first day of January of the 3183  
year of the elections for which the uniformed services or 3184  
overseas absent voter's ballots are requested or not earlier 3185  
than ninety days before the day of the election at which the 3186  
ballots are to be voted, whichever is earlier, ~~and~~. An 3187  
application to receive uniformed services or overseas absent 3188  
voter's ballots by mail or by another method permitted under 3189  
section 3511.021 of the Revised Code shall be delivered to the 3190  
office of the board not later than ~~twelve noon of the third-~~ 3191  
~~tenth~~ day preceding the day of the election, ~~or not later than~~ 3192  
~~six p.m. on the last Friday before the day of the election at~~ 3193  
~~which those ballots are to be voted if the application is~~ 3194  
~~delivered in person to the office of the board.~~ 3195

(D) If the voter for whom the application is made is 3196  
entitled to vote for presidential and vice-presidential electors 3197  
only, the applicant shall submit to the ~~director board~~ in 3198  
addition to the requirements of division (A) of this section, a 3199  
statement to the effect that the voter is qualified to vote for 3200  
presidential and vice-presidential electors and for no other 3201  
offices. 3202

~~(E) A board of elections that mails a federal post card~~ 3203  
~~application or other absent voter's ballot application to an~~ 3204  
~~elector under this section~~ No public office, and no public 3205  
official or employee who is acting in an official capacity, 3206

shall ~~not~~ prepay the return postage for ~~that an application for~~  
absent voter's ballots. 3207  
3208

(F) Except as otherwise provided in this section and in 3209  
sections 3505.24 and 3509.08 of the Revised Code, an election 3210  
official shall not fill out any portion of a federal post card 3211  
application or other application for absent voter's ballots on 3212  
behalf of an applicant. The secretary of state or a board of 3213  
elections may preprint only an applicant's name and address on a 3214  
federal post card application or other application for absent 3215  
voter's ballots before mailing that application to the 3216  
applicant, except that if the applicant has a confidential voter 3217  
registration record, the secretary of state or the board of 3218  
elections shall not preprint the applicant's address on the 3219  
application. 3220

**Sec. 3511.04.** (A) If a ~~director of a~~ board of elections 3221  
receives an application for uniformed services or overseas 3222  
absent voter's ballots that does not contain all of the required 3223  
information, the ~~director board~~ promptly shall notify the 3224  
applicant of the additional information required to be provided 3225  
by the applicant to complete that application. 3226

(B) Not later than the forty-sixth day before the day of 3227  
each general or primary election, and at the earliest possible 3228  
time before the day of a special election held on a day other 3229  
than the day on which a general or primary election is held, the 3230  
~~director of the~~ board of elections shall mail, send by facsimile 3231  
machine, send by electronic mail, send through internet delivery 3232  
if such delivery is offered by the board of elections or the 3233  
secretary of state, or otherwise send uniformed services or 3234  
overseas absent voter's ballots then ready for use as provided 3235  
for in section 3511.03 of the Revised Code and for which the 3236

~~director board~~ has received valid applications prior to that 3237  
time. Thereafter, and until ~~twelve noon of the third tenth day~~ 3238  
preceding the day of election, the ~~director board~~ shall 3239  
promptly, upon receipt of valid applications for them, mail, 3240  
send by facsimile machine, send by electronic mail, send through 3241  
internet delivery if such delivery is offered by the board of 3242  
elections or the secretary of state, or otherwise send to the 3243  
proper persons all uniformed services or overseas absent voter's 3244  
ballots then ready for use. 3245

If, after the seventieth day before the day of a general 3246  
or primary election, any other question, issue, or candidacy is 3247  
lawfully ordered submitted to the electors voting at the general 3248  
or primary election, the board shall promptly provide a separate 3249  
official issue, special election, or other election ballot for 3250  
submitting the question, issue, or candidacy to those electors, 3251  
and the ~~director board~~ shall promptly mail, send by facsimile 3252  
machine, send by electronic mail, send through internet delivery 3253  
if such delivery is offered by the board of elections or the 3254  
secretary of state, or otherwise send each such separate ballot 3255  
to each person to whom the ~~director board~~ has previously mailed 3256  
or sent other uniformed services or overseas absent voter's 3257  
ballots. 3258

~~A board of elections that mails or otherwise delivers~~ 3259  
~~uniformed services or overseas absent voter's ballots to an~~ 3260  
~~elector under this section~~ No public office, and no public 3261  
official or employee who is acting in an official capacity, 3262  
shall ~~not~~ prepay the return postage for ~~those~~ any absent voter's 3263  
ballots. In mailing uniformed services or overseas absent 3264  
voter's ballots, the ~~director board~~ shall use the fastest mail 3265  
service available, but the ~~director board~~ shall not mail them by 3266  
certified mail. 3267



**Sec. 3511.05.** (A) The ~~director of the~~ board of elections 3268  
shall place uniformed services or overseas absent voter's 3269  
ballots sent by mail in an unsealed identification envelope, 3270  
gummed ready for sealing. The ~~director board~~ shall include with 3271  
uniformed services or overseas absent voter's ballots sent 3272  
electronically, including by facsimile machine, an instruction 3273  
sheet for preparing a gummed envelope in which the ballots shall 3274  
be returned. The envelope for returning ballots sent by either 3275  
means shall have printed or written on its face a form 3276  
substantially as follows: 3277

"Identification Envelope Statement of Voter 3278

I, \_\_\_\_\_ (Name of voter), declare under 3279  
penalty of election falsification that the within ballot or 3280  
ballots contained no voting marks of any kind when I received 3281  
them, and I caused the ballot or ballots to be marked, enclosed 3282  
in the identification envelope, and sealed in that envelope. 3283

My voting residence in Ohio is 3284

\_\_\_\_\_ 3285

(Street and Number, if any, or Rural Route and Number) 3286

of \_\_\_\_\_ (City, Village, or Township) 3287

Ohio, which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_ 3288

in that city, village, or township. 3289

If I have a confidential voter registration record, I am 3290

providing my program participant identification number instead 3291

of my residence address: \_\_\_\_\_ 3292

The primary election ballots, if any, within this envelope 3293

are primary election ballots of the \_\_\_\_\_ Party. 3294

Ballots contained within this envelope are to be voted at 3295

the \_\_\_\_\_ (general, special, or primary) election to be 3296  
held on the \_\_\_\_\_ day of 3297  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ 3298

My date of birth is \_\_\_\_\_ (Month and Day), 3299  
\_\_\_\_\_ (Year). 3300

(Voter must provide ~~one~~ two forms of identification from 3301  
the following list;) 3302

My driver's license or state identification card number- 3303  
is: \_\_\_\_\_ ~~(Driver's license number).~~ 3304

The last four digits of my Social Security Number ~~are:~~ 3305  
\_\_\_\_\_ ~~(Last four digits of Social Security Number).~~ 3306

~~\_\_\_\_\_ In lieu of providing a driver's license number or~~ 3307  
~~the last four digits of my Social Security Number, I am~~ 3308  
~~enclosing a~~ A copy of one of the following in the return 3309  
~~envelope in which this identification envelope will be mailed:~~ a 3310  
current and valid photo identification, a military 3311  
identification, or a current utility bill, bank statement, 3312  
government check, paycheck, or other government document, other 3313  
than a notice of voter registration mailed by a board of 3314  
elections, that shows my name and address. If you provide a copy 3315  
of one or more of those documents, enclose it in the return 3316  
envelope along with the identification envelope. 3317

I hereby declare, under penalty of election falsification, 3318  
that the statements above are true, as I verily believe. 3319

\_\_\_\_\_ 3320  
(Signature of Voter) 3321

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 3322  
THE FIFTH DEGREE." 3323

(B) The ~~director-board~~ shall also mail with the ballots 3324  
and the unsealed identification envelope sent by mail an 3325  
unsealed return envelope, gummed, ready for sealing, for use by 3326  
the voter in returning the voter's marked ballots to the- 3327  
~~director office of the board~~. The ~~director-board~~ shall send with 3328  
the ballots and the instruction sheet for preparing a gummed 3329  
envelope sent electronically, including by facsimile machine, an 3330  
instruction sheet for preparing a second gummed envelope as 3331  
described in this division, for use by the voter in returning 3332  
that voter's marked ballots to the ~~director-board~~. The return 3333  
envelope shall have two parallel lines, each one quarter of an 3334  
inch in width, printed across its face paralleling the top, with 3335  
an intervening space of one quarter of an inch between such 3336  
lines. The top line shall be one and one-quarter inches from the 3337  
top of the envelope. Between the parallel lines shall be 3338  
printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 3339  
ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank lines shall 3340  
be printed in the upper left corner on the face of the envelope 3341  
for the use by the voter in placing the voter's complete 3342  
military, naval, or mailing address on these lines, and beneath 3343  
these lines there shall be printed a box beside the words "check 3344  
if out-of-country." The voter shall check this box if the voter 3345  
will be outside the United States on the day of the election. 3346  
The ~~official title and the post-office address of the director-~~ 3347  
~~to whom the envelope shall be returned~~ office of the board shall 3348  
be printed on the face of such envelope in the lower right 3349  
portion below the bottom parallel line. 3350

(C) On the back of each identification envelope and each 3351  
return envelope shall be printed the following: 3352

"Instructions to voter: 3353

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

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

---

(Signature of voter)"

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

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

**Sec. 3511.06.** The return envelope provided for in section

3511.05 of the Revised Code shall be of such size that the 3383  
identification envelope can be conveniently placed within it for 3384  
returning the identification envelope to the ~~director~~ office of 3385  
the board of elections. The envelope in which the two envelopes 3386  
and the uniformed services or overseas absent voter's ballots 3387  
are mailed to the elector shall have two parallel lines, each 3388  
one quarter of an inch in width, printed across its face, 3389  
paralleling the top, with an intervening space of one-quarter of 3390  
an inch between such lines. The top line shall be one and one- 3391  
quarter inches from the top of the envelope. Between the 3392  
parallel lines shall be printed: "official uniformed services or 3393  
overseas absent voter's balloting material--via air mail." The 3394  
appropriate return address of the ~~director of the~~ board of 3395  
elections shall be printed in the upper left corner on the face 3396  
of such envelope. Several blank lines shall be printed on the 3397  
face of such envelope in the lower right portion, below the 3398  
bottom parallel line, for writing in the name and address of the 3399  
elector to whom such envelope is mailed. 3400

**Sec. 3511.07.** When mailing unsealed identification 3401  
envelopes and unsealed return envelopes to persons, the ~~director~~ 3402  
~~of the~~ board of elections shall insert a sheet of waxed paper or 3403  
other appropriate insert between the gummed flap and the back of 3404  
each of such envelopes to minimize the possibility that the flap 3405  
may become firmly stuck to the back of the envelope by reason of 3406  
moisture, humid atmosphere, or other conditions to which they 3407  
may be subjected. If the flap on either of such envelopes should 3408  
be so firmly stuck to the back of the envelope when it is 3409  
received by the voter as to require forcible opening of the 3410  
envelope in order to use it, the voter shall open such envelope 3411  
in the manner least injurious to it, and, after marking ~~his~~ the 3412  
voter's ballots and enclosing them in the envelope for mailing 3413

to the ~~director~~board, ~~he~~ the voter shall reclose such envelope 3414  
in the most practicable way, by sealing it or otherwise, and 3415  
shall sign the blank form printed on the back of such envelope. 3416

**Sec. 3511.08.** The ~~director of the~~ board of elections shall 3417  
keep a record of the name and address of each person to whom the 3418  
~~director~~board mails or delivers uniformed services or overseas 3419  
absent voter's ballots, the kinds of ballots so mailed or 3420  
delivered, and the name and address of the person who made the 3421  
application for such ballots. After the ~~director~~board has 3422  
mailed or delivered such ballots the ~~director~~board shall not 3423  
mail or deliver additional ballots of the same kind to such 3424  
person pursuant to a subsequent request unless such subsequent 3425  
request contains the statement that an earlier request had been 3426  
sent to the ~~director~~board prior to the thirtieth day before the 3427  
election and that the uniformed services or overseas absent 3428  
voter's ballots so requested had not been received by such 3429  
person prior to the fifteenth day before the election, and 3430  
provided that the ~~director~~board has not received an 3431  
identification envelope purporting to contain marked uniformed 3432  
services or overseas absent voter's ballots from such person. 3433

**Sec. 3511.09.** (A) Upon receiving uniformed services or 3434  
overseas absent voter's ballots, the elector shall cause the 3435  
questions on the face of the identification envelope to be 3436  
answered, and, by writing the elector's usual signature in the 3437  
proper place on the identification envelope, the elector shall 3438  
declare under penalty of election falsification that the answers 3439  
to those questions are true and correct to the best of the 3440  
elector's knowledge and belief. Then, the elector shall note 3441  
whether there are any voting marks on the ballot. If there are 3442  
any voting marks, the ballot shall be returned immediately to 3443  
the board of elections; otherwise, the elector shall cause the 3444

ballot to be marked, folded separately so as to conceal the 3445  
markings on it, deposited in the identification envelope, and 3446  
securely sealed in the identification envelope. The elector then 3447  
shall cause the identification envelope to be placed within the 3448  
return envelope, sealed in the return envelope, and mailed to 3449  
~~the director of the~~ board of elections to ~~whom~~ which it is 3450  
addressed. The ballot shall be submitted for mailing not later 3451  
than 12:01 a.m. at the place where the voter completes the 3452  
ballot, on the date of the election. ~~If the~~ 3453

(B) The elector ~~does not shall~~ provide the two forms of 3454  
identification from among the following acceptable forms of 3455  
identification: 3456

(1) The elector's driver's license or state identification 3457  
card number ~~or the~~ provided on the statement of voter on the 3458  
identification envelope; 3459

(2) The last four digits of the elector's social security 3460  
number provided on the statement of voter on the identification 3461  
envelope, ~~the elector also shall include in the return envelope~~ 3462  
~~with the identification envelope a;~~ 3463

(3) A copy of the elector's current valid photo 3464  
identification, a copy of a military identification, or a copy 3465  
of a current utility bill, bank statement, government check, 3466  
paycheck, or other government document, other than a notice of 3467  
voter registration mailed by a board of elections under section 3468  
3503.19 of the Revised Code, that shows the name and address of 3469  
the elector, included in the return envelope with the 3470  
identification envelope. ~~Each~~ 3471

(C) Each elector who will be outside the United States on 3472  
the day of the election shall check the box on the return 3473

envelope indicating this fact and shall mail the return envelope 3474  
to the ~~director~~ board prior to the close of the polls on 3475  
election day. 3476

(D) Every uniformed services or overseas absent voter's 3477  
ballot identification envelope shall be accompanied by the 3478  
following statement in boldface capital letters: WHOEVER COMMITS 3479  
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH 3480  
DEGREE. 3481

(E) The elector shall cause the uniformed services or 3482  
overseas absent voter's ballots to be returned to the office of 3483  
the board of elections in a manner described in division (C) of 3484  
section 3509.05 of the Revised Code, provided that the elector 3485  
shall not be required to prepay the postage on the return 3486  
envelope if, under 39 U.S.C. 3406, no postage is required. 3487

~~Sec. 3511.10. If, after the first day after the close of~~ 3488  
~~voter registration before a general or primary election and~~ 3489  
~~before the close of the polls on the day of that election, a~~ 3490  
~~valid application for~~ A uniformed services or overseas absent 3491  
~~voter's ballots is delivered to the director of the board of~~ 3492  
~~elections~~ voter may cast absent voter's ballots in person at the 3493  
~~office of the board by a person making the application on the~~ 3494  
~~person's own behalf, the director shall forthwith deliver to the~~ 3495  
~~person all uniformed services or overseas absent voter's ballots~~ 3496  
~~then ready for use, together with an identification envelope of~~ 3497  
elections under section 3509.051 of the Revised Code. The person 3498  
~~shall then immediately retire to a voting booth in the office of~~ 3499  
~~the board, and mark the ballots. The person shall then fold each~~ 3500  
~~ballot separately so as to conceal the person's markings~~ 3501  
~~thereon, and deposit all of the ballots in the identification~~ 3502  
~~envelope and securely seal it. Thereupon the person shall fill~~ 3503



~~in answers to the questions on the face of the identification envelope, and by writing the person's usual signature in the proper place thereon, the person shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of that person's knowledge and belief. The person shall then deliver the identification envelope to the director. If thereafter, and before the third day preceding such election, the board provides additional separate official issue or special election ballots, as provided for in section 3511.04 of the Revised Code, the director-board shall promptly, and not later than twelve noon of the third day preceding the day of election, mail such additional ballots to such person at the address specified by that person for that purpose. Except as otherwise provided in sections 3505.24 and 3509.08 of the Revised Code, an election official shall not fill out any portion of an application for absent voter's ballots, an identification envelope statement of voter, or an absent voter's ballot requested under this section on behalf of an applicant.~~

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

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing the designation "Official Election Uniformed Services or Overseas Absent Voter's Ballot" prior to the eleventh day after the day of any election, the ~~director of the~~ board of elections shall open it but shall not open the identification envelope

contained in it. If, upon so opening the return envelope, the ~~director-board~~ finds ballots in it that are not enclosed in and properly sealed in the identification envelope, the ~~director-board~~ shall not look at the markings upon the ballots and shall promptly place them in the identification envelope and promptly seal it. If, upon so opening the return envelope, the ~~director-board~~ finds that ballots are enclosed in the identification envelope but that it is not properly sealed, the ~~director-board~~ shall not look at the markings upon the ballots and shall promptly seal the identification envelope.

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

(C) A return envelope is not required to be postmarked in order for a uniformed services or overseas absent voter's ballot contained in it to be valid. Except as otherwise provided in this division, whether or not the return envelope containing the ballot is postmarked, contains a late postmark, or contains an illegible postmark, a uniformed services or overseas absent voter's ballot that is received after the close of the polls on election day through the tenth day after the election day shall be processed and counted on the eleventh day after the election day at the office of the board of elections in the manner provided in section 3509.06 of the Revised Code if the voter signed the identification envelope by the time specified in section 3511.09 of the Revised Code. However, if a return envelope containing a uniformed services or overseas absent voter's ballot is so received and so indicates, but the identification envelope in it is signed after the close of the polls on election day, the uniformed services or overseas absent

voter's ballot shall not be counted. 3566

(D) The following types of uniformed services or overseas 3567  
absent voter's ballots shall not be counted: 3568

(1) Uniformed services or overseas absent voter's ballots 3569  
contained in return envelopes that bear the designation 3570  
"Official Election Uniformed Services or Overseas Absent Voter's 3571  
Ballots," that are received by the ~~director~~ board of elections 3572  
after the close of the polls on the day of the election, and 3573  
that contain an identification envelope that is signed after the 3574  
time specified in section 3511.09 of the Revised Code; 3575

(2) Uniformed services or overseas absent voter's ballots 3576  
contained in return envelopes that bear that designation and 3577  
that are received after the tenth day following the election. 3578

The uncounted ballots shall be preserved in their 3579  
identification envelopes unopened until the time provided by 3580  
section 3505.31 of the Revised Code for the destruction of all 3581  
other ballots used at the election for which ballots were 3582  
provided, at which time they shall be destroyed. 3583

**Sec. 3511.13.** (A) The poll list or signature pollbook for 3584  
each precinct shall identify each registered elector in that 3585  
precinct who has requested a uniformed services or overseas 3586  
absent voter's ballot for that election. 3587

(B) (1) If a registered elector appears to vote in that 3588  
precinct and that elector has requested a uniformed services or 3589  
overseas absent voter's ballot for that election but the 3590  
~~director~~ board of elections has not received a sealed 3591  
identification envelope purporting to contain that elector's 3592  
voted uniformed services or overseas absent voter's ballots for 3593  
that election, the elector shall be permitted to cast a 3594

provisional ballot under section 3505.181 of the Revised Code in 3595  
that precinct on the day of that election. 3596

(2) If a registered elector appears to vote in that 3597  
precinct and that elector has requested a uniformed services or 3598  
overseas absent voter's ballot for that election and the 3599  
~~director-board~~ has received a sealed identification envelope 3600  
purporting to contain that elector's voted uniformed services or 3601  
overseas absent voter's ballots for that election, the elector 3602  
shall be permitted to cast a provisional ballot under section 3603  
3505.181 of the Revised Code in that precinct on the day of that 3604  
election. 3605

(C) (1) In counting uniformed services or overseas absent 3606  
voter's ballots under section 3511.11 of the Revised Code, the 3607  
board of elections shall compare the signature of each elector 3608  
from whom the ~~director-board~~ has received a sealed 3609  
identification envelope purporting to contain that elector's 3610  
voted uniformed services or overseas absent voter's ballots for 3611  
that election to the signature on the elector's registration 3612  
form. Except as otherwise provided in division (C) (3) of this 3613  
section, if the board of elections determines that the uniformed 3614  
services or overseas absent voter's ballot in the sealed 3615  
identification envelope is valid, it shall be counted. If the 3616  
board of elections determines that the signature on the sealed 3617  
identification envelope purporting to contain the elector's 3618  
voted uniformed services or overseas absent voter's ballot does 3619  
not match the signature on the elector's registration form, the 3620  
ballot shall be set aside and the board shall examine, during 3621  
the time prior to the beginning of the official canvass, the 3622  
poll list or signature pollbook from the precinct in which the 3623  
elector is registered to vote to determine if the elector also 3624  
cast a provisional ballot under section 3505.181 of the Revised 3625

Code in that precinct on the day of the election. 3626

(2) The board of elections shall count the provisional 3627  
ballot, instead of the uniformed services or overseas absent 3628  
voter's ballot, of an elector from whom the ~~director~~ board has 3629  
received an identification envelope purporting to contain that 3630  
elector's voted uniformed services or overseas absent voter's 3631  
ballots, if both of the following apply: 3632

(a) The board of elections determines that the signature 3633  
of the elector on the outside of the identification envelope in 3634  
which the uniformed services or overseas absent voter's ballots 3635  
are enclosed does not match the signature of the elector on the 3636  
elector's registration form; 3637

(b) The elector cast a provisional ballot in the precinct 3638  
on the day of the election. 3639

(3) If the board of elections does not receive the sealed 3640  
identification envelope purporting to contain the elector's 3641  
voted uniformed services or overseas absent voter's ballot by 3642  
the applicable deadline established under section 3511.11 of the 3643  
Revised Code, the provisional ballot cast under section 3505.181 3644  
of the Revised Code in that precinct on the day of the election 3645  
shall be counted as valid, if that provisional ballot is 3646  
otherwise determined to be valid pursuant to section 3505.183 of 3647  
the Revised Code. 3648

(D) If the board of elections counts a provisional ballot 3649  
under division (C) (2) or (3) of this section, the returned 3650  
identification envelope of that elector shall not be opened, and 3651  
the ballot within that envelope shall not be counted. The 3652  
identification envelope shall be endorsed "Not Counted" with the 3653  
reason the ballot was not counted. 3654

**Sec. 3513.05.** Each person desiring to become a candidate 3655  
for a party nomination at a primary election or for election to 3656  
an office or position to be voted for at a primary election, 3657  
except persons desiring to become joint candidates for the 3658  
offices of governor and lieutenant governor and except as 3659  
otherwise provided in section 3513.051 of the Revised Code, 3660  
shall, not later than four p.m. of the ninetieth day before the 3661  
day of the primary election, file a declaration of candidacy and 3662  
petition and pay the fees required under divisions (A) and (B) 3663  
of section 3513.10 of the Revised Code. The declaration of 3664  
candidacy and all separate petition papers shall be filed at the 3665  
same time as one instrument. When the offices are to be voted 3666  
for at a primary election, persons desiring to become joint 3667  
candidates for the offices of governor and lieutenant governor 3668  
shall, not later than four p.m. of the ninetieth day before the 3669  
day of the primary election, comply with section 3513.04 of the 3670  
Revised Code. The prospective joint candidates' declaration of 3671  
candidacy and all separate petition papers of candidacies shall 3672  
be filed at the same time as one instrument. The secretary of 3673  
state or a board of elections shall not accept for filing a 3674  
declaration of candidacy and petition of a person seeking to 3675  
become a candidate if that person, for the same election, has 3676  
already filed a declaration of candidacy or a declaration of 3677  
intent to be a write-in candidate, or has become a candidate by 3678  
the filling of a vacancy under section 3513.30 of the Revised 3679  
Code for any federal, state, or county office, if the 3680  
declaration of candidacy is for a state or county office, or for 3681  
any municipal or township office, if the declaration of 3682  
candidacy is for a municipal or township office. 3683

If the declaration of candidacy declares a candidacy which 3684  
is to be submitted to electors throughout the entire state, the 3685

petition, including a petition for joint candidates for the 3686  
offices of governor and lieutenant governor, shall be signed by 3687  
at least one thousand qualified electors who are members of the 3688  
same political party as the candidate or joint candidates, and 3689  
the declaration of candidacy and petition shall be filed with 3690  
the secretary of state; provided that the secretary of state 3691  
shall not accept or file any such petition appearing on its face 3692  
to contain signatures of more than three thousand electors. 3693

Except as otherwise provided in this paragraph, if the 3694  
declaration of candidacy is of one that is to be submitted only 3695  
to electors within a district, political subdivision, or portion 3696  
thereof, the petition shall be signed by not less than fifty 3697  
qualified electors who are members of the same political party 3698  
as the political party of which the candidate is a member. If 3699  
the declaration of candidacy is for party nomination as a 3700  
candidate for member of the legislative authority of a municipal 3701  
corporation elected by ward, the petition shall be signed by not 3702  
less than twenty-five qualified electors who are members of the 3703  
political party of which the candidate is a member. 3704

No such petition, except the petition for a candidacy that 3705  
is to be submitted to electors throughout the entire state, 3706  
shall be accepted for filing if it appears to contain on its 3707  
face signatures of more than three times the minimum number of 3708  
signatures. When a petition of a candidate has been accepted for 3709  
filing by a board of elections, the petition shall not be deemed 3710  
invalid if, upon verification of signatures contained in the 3711  
petition, the board of elections finds the number of signatures 3712  
accepted exceeds three times the minimum number of signatures 3713  
required. ~~A board of elections may discontinue verifying~~ 3714  
~~signatures on petitions when the number of verified signatures~~ 3715  
~~equals the minimum required number of qualified signatures.~~ 3716

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

If a declaration of candidacy is one for election as a member of the state central committee or the county central committee of a political party, the petition shall be signed by five qualified electors of the district, county, ward, township, or precinct within which electors may vote for such candidate. The electors signing such petition shall be members of the same political party as the political party of which the candidate is a member.

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

If the declaration of candidacy is of one that is to be submitted only to electors within a county, or within a district or subdivision or part thereof smaller than a county, the petition shall be filed with the board of elections of the county. If the declaration of candidacy is of one that is to be submitted only to electors of a district or subdivision or part thereof that is situated in more than one county, the petition



shall be filed with the board of elections of the county within 3747  
which the major portion of the population thereof, as 3748  
ascertained by the next preceding federal census, is located. 3749

A petition shall consist of separate petition papers, each 3750  
of which shall contain signatures of electors of only one 3751  
county. Petitions or separate petition papers containing 3752  
signatures of electors of more than one county shall not thereby 3753  
be declared invalid. In case petitions or separate petition 3754  
papers containing signatures of electors of more than one county 3755  
are filed, the board shall determine the county from which the 3756  
majority of signatures came, and only signatures from such 3757  
county shall be counted. Signatures from any other county shall 3758  
be invalid. 3759

Each separate petition paper shall be circulated by one 3760  
person only, who shall be the candidate or a joint candidate or 3761  
a member of the same political party as the candidate or joint 3762  
candidates, and each separate petition paper shall be governed 3763  
by the rules set forth in section 3501.38 of the Revised Code. 3764

The secretary of state shall promptly transmit to each 3765  
board such separate petition papers of each petition 3766  
accompanying a declaration of candidacy filed with the secretary 3767  
of state as purport to contain signatures of electors of the 3768  
county of such board. The board of the most populous county of a 3769  
district shall promptly transmit to each board within such 3770  
district such separate petition papers of each petition 3771  
accompanying a declaration of candidacy filed with it as purport 3772  
to contain signatures of electors of the county of each such 3773  
board. The board of a county within which the major portion of 3774  
the population of a subdivision, situated in more than one 3775  
county, is located, shall promptly transmit to the board of each 3776

other county within which a portion of such subdivision is 3777  
located such separate petition papers of each petition 3778  
accompanying a declaration of candidacy filed with it as purport 3779  
to contain signatures of electors of the portion of such 3780  
subdivision in the county of each such board. 3781

All petition papers so transmitted to a board and all 3782  
petitions accompanying declarations of candidacy filed with a 3783  
board shall, under proper regulations, be open to public 3784  
inspection until four p.m. of the eightieth day before the day 3785  
of the next primary election. Each board shall, not later than 3786  
the seventy-eighth day before the day of that primary election, 3787  
examine and determine the validity or invalidity of the 3788  
signatures on the petition papers so transmitted to or filed 3789  
with it and shall return to the secretary of state all petition 3790  
papers transmitted to it by the secretary of state, together 3791  
with its certification of its determination as to the validity 3792  
or invalidity of signatures thereon, and shall return to each 3793  
other board all petition papers transmitted to it by such board, 3794  
together with its certification of its determination as to the 3795  
validity or invalidity of the signatures thereon. All other 3796  
matters affecting the validity or invalidity of such petition 3797  
papers shall be determined by the secretary of state or the 3798  
board with whom such petition papers were filed. 3799

Protests against the candidacy of any person filing a 3800  
declaration of candidacy for party nomination or for election to 3801  
an office or position, as provided in this section, may be filed 3802  
by any qualified elector who is a member of the same political 3803  
party as the candidate and who is eligible to vote at the 3804  
primary election for the candidate whose declaration of 3805  
candidacy the elector objects to, or by the controlling 3806  
committee of that political party. The protest shall be in 3807

writing, and shall be filed not later than four p.m. of the 3808  
seventy-fourth day before the day of the primary election. The 3809  
protest shall be filed with the election officials with whom the 3810  
declaration of candidacy and petition was filed. Upon the filing 3811  
of the protest, the election officials with whom it is filed 3812  
shall promptly fix the time for hearing it, and shall forthwith 3813  
mail notice of the filing of the protest and the time fixed for 3814  
hearing to the person whose candidacy is so protested. They 3815  
shall also forthwith mail notice of the time fixed for such 3816  
hearing to the person who filed the protest. At the time fixed, 3817  
such election officials shall hear the protest and determine the 3818  
validity or invalidity of the declaration of candidacy and 3819  
petition. If they find that such candidate is not an elector of 3820  
the state, district, county, or political subdivision in which 3821  
the candidate seeks a party nomination or election to an office 3822  
or position, or has not fully complied with this chapter, the 3823  
candidate's declaration of candidacy and petition shall be 3824  
determined to be invalid and shall be rejected; otherwise, it 3825  
shall be determined to be valid. That determination shall be 3826  
final. 3827

A protest against the candidacy of any persons filing a 3828  
declaration of candidacy for joint party nomination to the 3829  
offices of governor and lieutenant governor shall be filed, 3830  
heard, and determined in the same manner as a protest against 3831  
the candidacy of any person filing a declaration of candidacy 3832  
singly. 3833

The secretary of state shall, on the seventieth day before 3834  
the day of a primary election, certify to each board in the 3835  
state the forms of the official ballots to be used at the 3836  
primary election, together with the names of the candidates to 3837  
be printed on the ballots whose nomination or election is to be 3838

determined by electors throughout the entire state and who filed 3839  
valid declarations of candidacy and petitions. 3840

The board of the most populous county in a district 3841  
comprised of more than one county but less than all of the 3842  
counties of the state shall, on the seventieth day before the 3843  
day of a primary election, certify to the board of each county 3844  
in the district the names of the candidates to be printed on the 3845  
official ballots to be used at the primary election, whose 3846  
nomination or election is to be determined only by electors 3847  
within the district and who filed valid declarations of 3848  
candidacy and petitions. 3849

The board of a county within which the major portion of 3850  
the population of a subdivision smaller than the county and 3851  
situated in more than one county is located shall, on the 3852  
seventieth day before the day of a primary election, certify to 3853  
the board of each county in which a portion of that subdivision 3854  
is located the names of the candidates to be printed on the 3855  
official ballots to be used at the primary election, whose 3856  
nomination or election is to be determined only by electors 3857  
within that subdivision and who filed valid declarations of 3858  
candidacy and petitions. 3859

**Sec. 3513.251.** Nominations of candidates for election as 3860  
officers of a municipal corporation having a population of less 3861  
than two thousand as ascertained by the next preceding federal 3862  
census shall be made only by nominating petition and their 3863  
election shall occur only in nonpartisan elections, unless a 3864  
majority of the electors of such municipal corporation have 3865  
petitioned for a primary election. Nominations of candidates for 3866  
election as officers of a municipal corporation having a 3867  
population of two thousand or more shall be made either by 3868

primary election in conjunction with a partisan general election 3869  
or by nominating petition in conjunction with a nonpartisan 3870  
general election, as determined under section 3513.01 of the 3871  
Revised Code. 3872

The nominating petitions of nonpartisan candidates for 3873  
election as officers of a municipal corporation having a 3874  
population of less than two thousand, as ascertained by the most 3875  
recent federal census, shall be signed by not less than ten 3876  
qualified electors of the municipal corporation. Any nominating 3877  
petition filed under this section shall be filed with the board 3878  
of elections not later than four p.m. of the ninetieth day 3879  
before the day of the general election, provided that no such 3880  
nominating petition shall be accepted for filing if it appears 3881  
to contain signatures aggregating in number more than three 3882  
times the minimum number of signatures required by this section. 3883  
A board of elections shall not accept for filing a nominating 3884  
petition of a person if that person, for the same election, has 3885  
already filed a declaration of candidacy, a declaration of 3886  
intent to be a write-in candidate, or a nominating petition, or 3887  
has become a candidate through party nomination at a primary 3888  
election or by the filling of a vacancy under section 3513.30 or 3889  
3513.31 of the Revised Code for any other municipal office, or 3890  
for a township office, for member of a city, local, or exempted 3891  
village board of education, or for member of a governing board 3892  
of an educational service center. When a petition of a candidate 3893  
has been accepted for filing by a board of elections, the 3894  
petition shall not be deemed invalid if, upon verification of 3895  
signatures contained in the petition, the board of elections 3896  
finds the number of signatures accepted exceeds three times the 3897  
minimum number of signatures required. ~~A board of elections may~~ 3898  
~~discontinue verifying signatures when the number of verified~~ 3899

~~signatures on a petition equals the minimum required number of~~ 3900  
~~qualified signatures.~~ 3901

Nomination of nonpartisan candidates for election as 3902  
officers of a municipal corporation having a population of two 3903  
thousand or more, as ascertained by the next preceding federal 3904  
census, shall be made only by nominating petition. Nominating 3905  
petitions of nonpartisan candidates for election as officers of 3906  
a municipal corporation having a population of two thousand or 3907  
more but less than five thousand, as ascertained by the next 3908  
preceding federal census, shall be signed by not less than fifty 3909  
qualified electors of the municipal corporation or ward thereof 3910  
in the case of the nominating petition of a candidate for 3911  
election as councilperson from such ward. Nominating petitions 3912  
of nonpartisan candidates for election as officers of a 3913  
municipal corporation having a population of five thousand or 3914  
more, as ascertained by the next preceding federal census, shall 3915  
be signed by not less than fifty qualified electors of the 3916  
municipal corporation or ward thereof in the case of the 3917  
nominating petition of a candidate for election as councilperson 3918  
from such ward. 3919

**Sec. 3513.253.** Nominations of candidates for election as 3920  
officers of a township shall be made only by nominating 3921  
petitions, unless a majority of the electors of such township 3922  
have petitioned for a primary election. The nominating petitions 3923  
of nonpartisan candidates for township trustee and township 3924  
fiscal officer shall be signed by not less than twenty-five 3925  
qualified electors of the township. Such petition shall be filed 3926  
with the board of elections not later than four p.m. of the 3927  
ninetieth day before the day of the general election, provided 3928  
that no such nominating petition shall be accepted for filing if 3929  
it appears to contain signatures aggregating in number more than 3930

three times the minimum number of signatures required by this 3931  
section. A board of elections shall not accept for filing a 3932  
nominating petition of a person if that person, for the same 3933  
election, has already filed a declaration of candidacy, a 3934  
declaration of intent to be a write-in candidate, or a 3935  
nominating petition, or has become a candidate through party 3936  
nomination at a primary election or by the filling of a vacancy 3937  
under section 3513.30 or 3513.31 of the Revised Code for any 3938  
other township office, or for a municipal office, for member of 3939  
a city, local, or exempted village board of education, or for 3940  
member of a governing board of an educational service center. 3941  
When a petition of a candidate has been accepted for filing by a 3942  
board of elections, the petition shall not be deemed invalid if, 3943  
upon verification of signatures contained in the petition, the 3944  
board of elections finds the number of signatures accepted 3945  
exceeds three times the minimum number of signatures required. ~~A 3946  
board of elections may discontinue verifying signatures when the  
number of verified signatures on a petition equals the minimum  
required number of qualified signatures.~~ 3947  
3948  
3949

**Sec. 3513.254.** (A) The name of each candidate for member 3950  
of a city, local, or exempted village board of education shall 3951  
appear on the nonpartisan ballot. Nominating petitions of 3952  
candidates for member of a board of education of a local or 3953  
exempted village school district shall be signed by twenty-five 3954  
qualified electors of the school district. Nominating petitions 3955  
for candidates for member of a board of education of a city 3956  
school district having a population of less than twenty 3957  
thousand, as ascertained by the next preceding federal census, 3958  
shall be signed by twenty-five qualified electors of the school 3959  
district. Nominating petitions for candidates for member of a 3960  
board of education of a city school district having a population 3961

of twenty thousand or more but less than fifty thousand, as 3962  
ascertained by the next preceding federal census, shall be 3963  
signed by seventy-five qualified electors of the school 3964  
district. Nominating petitions for candidates for member of a 3965  
board of education of a city school district having a population 3966  
of fifty thousand or more but less than one hundred thousand, as 3967  
ascertained by the next preceding federal census, shall be 3968  
signed by one hundred fifty qualified electors of the school 3969  
district. Nominating petitions for candidates for member of a 3970  
board of education of a city school district having a population 3971  
of one hundred thousand or more, as ascertained by the next 3972  
preceding federal census, shall be signed by three hundred 3973  
qualified electors of the school district. 3974

(B) Nominating petitions shall be filed with the board of 3975  
elections not later than four p.m. of the ninetieth day before 3976  
the day of the general election, provided that no such petition 3977  
shall be accepted for filing if it appears to contain signatures 3978  
aggregating in number more than three times the minimum number 3979  
of signatures required by this section. A board of elections 3980  
shall not accept for filing a nominating petition of a person if 3981  
that person, for the same election, has already filed a 3982  
declaration of candidacy, a declaration of intent to be a write- 3983  
in candidate, or a nominating petition, or has become a 3984  
candidate through party nomination at a primary election or by 3985  
the filling of a vacancy under section 3513.30 or 3513.31 of the 3986  
Revised Code for any other position as a member of a city, 3987  
local, or exempted village board of education or position as a 3988  
member of a governing board of an educational service center, or 3989  
for a municipal or township office. When a petition of a 3990  
candidate has been accepted for filing by a board of elections, 3991  
the petition shall not be deemed invalid if, upon verification 3992



of signatures contained in the petition, the board of elections 3993  
finds the number of signatures accepted exceeds three times the 3994  
minimum number of signatures required. ~~A board of elections may~~ 3995  
~~discontinue verifying petitions when the number of verified~~ 3996  
~~signatures equals the minimum required number of qualified~~ 3997  
~~signatures.~~ 3998

(C) This section is subject to section 3513.256 of the 3999  
Revised Code. 4000

**Sec. 3513.255.** This section is subject to section 3513.256 4001  
of the Revised Code. The name of each candidate for election as 4002  
a member of a governing board of an educational service center 4003  
shall appear on the nonpartisan ballot. Each nominating petition 4004  
shall be signed by fifty qualified electors who reside in one of 4005  
the following, as applicable: 4006

(A) The school districts over which the educational 4007  
service center governing board has jurisdiction, in the case of 4008  
any candidate running for a position on any educational service 4009  
center governing board other than a governing board established 4010  
in accordance with section 3311.054 of the Revised Code; 4011

(B) The subdistrict in which the candidate is running, in 4012  
the case of a position on a governing board of an educational 4013  
service center established in accordance with section 3311.054 4014  
of the Revised Code. 4015

Each nominating petition shall be filed with the board of 4016  
elections of the county in which the central administrative 4017  
offices of the educational service center governing board are 4018  
located not later than four p.m. of the ninetieth day before the 4019  
day of the general election, provided that no such petition 4020  
shall be accepted for filing if it appears to contain signatures 4021

aggregating in number more than three times the minimum number 4022  
of signatures required by this section. A board of elections 4023  
shall not accept for filing a nominating petition of a person if 4024  
that person, for the same election, has already filed a 4025  
declaration of candidacy, a declaration of intent to be a write- 4026  
in candidate, or a nominating petition, or has become a 4027  
candidate through party nomination at a primary election or by 4028  
the filling of a vacancy under section 3513.30 or 3513.31 of the 4029  
Revised Code for any other position as a member of a governing 4030  
board of an educational service center or position as a member 4031  
of a city, local, or exempted village board of education, or for 4032  
a municipal or township office. When a petition of a candidate 4033  
has been accepted for filing by a board of elections, the 4034  
petition shall not be deemed invalid if, upon verification of 4035  
signatures contained in the petition, the board of elections 4036  
finds the number of signatures accepted exceeds three times the 4037  
minimum signatures required. ~~A board of elections may~~ 4038  
~~discontinue verifying petitions when the number of verified~~ 4039  
~~signatures equals the minimum required number of qualified~~ 4040  
~~signatures.~~ 4041

**Sec. 3513.257.** Each person desiring to become an 4042  
independent candidate for an office for which candidates may be 4043  
nominated at a primary election, except persons desiring to 4044  
become independent joint candidates for the offices of governor 4045  
and lieutenant governor and for the offices of president and 4046  
vice-president of the United States, shall file no later than 4047  
four p.m. of the day before the day of the primary election 4048  
immediately preceding the general election at which such 4049  
candidacy is to be voted for by the voters, a statement of 4050  
candidacy and nominating petition as provided in section 4051  
3513.261 of the Revised Code. Persons desiring to become 4052

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

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

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

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

(B) If the candidacy is to be voted on by electors in any district, political subdivision, or part thereof in which less than five thousand electors voted for the office of governor at the most recent election for that office, the nominating

petition shall contain signatures of not less than twenty-five 4083  
qualified electors of the district, political subdivision, or 4084  
part thereof, or a number of qualified signatures equal to at 4085  
least five per cent of that vote, if this number is less than 4086  
twenty-five. 4087

(C) If the candidacy is to be voted on by electors in any 4088  
district, political subdivision, or part thereof in which five 4089  
thousand or more electors voted for the office of governor at 4090  
the most recent election for that office, the nominating 4091  
petition shall contain a number of signatures equal to at least 4092  
one per cent of those electors. 4093

All nominating petitions of candidates for offices to be 4094  
voted on by electors throughout the entire state shall be filed 4095  
in the office of the secretary of state. No nominating petition 4096  
for the offices of president and vice-president of the United 4097  
States shall be accepted for filing unless there is submitted to 4098  
the secretary of state, at the time of filing the petition, a 4099  
slate of presidential electors sufficient in number to satisfy 4100  
the requirement of the United States Constitution. The secretary 4101  
of state shall not accept for filing the statement of candidacy 4102  
of a person who desires to be an independent candidate for the 4103  
office of governor unless it also shows the joint candidacy of a 4104  
person who desires to be an independent candidate for the office 4105  
of lieutenant governor, shall not accept for filing the 4106  
statement of candidacy of a person who desires to be an 4107  
independent candidate for the office of lieutenant governor 4108  
unless it also shows the joint candidacy of a person who desires 4109  
to be an independent candidate for the office of governor, and 4110  
shall not accept for filing the statement of candidacy of a 4111  
person who desires to be an independent candidate to the office 4112  
of governor or lieutenant governor who, for the same election, 4113

has already filed a declaration of candidacy, a declaration of  
intent to be a write-in candidate, or a statement of candidacy,  
or has become a candidate by the filling of a vacancy under  
section 3513.30 of the Revised Code for any other state office  
or any federal or county office.

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

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

No petition other than the petition of a candidate whose  
candidacy is to be considered by electors throughout the entire  
state shall be accepted for filing if it appears on its face to  
contain more than three times the minimum required number of  
signatures. A board of elections shall not accept for filing a  
nominating petition of a person seeking to become a candidate if  
that person, for the same election, has already filed a  
declaration of candidacy, a declaration of intent to be a write-  
in candidate, or a nominating petition, or has become a  
candidate by the filling of a vacancy under section 3513.30 of  
the Revised Code for any federal, state, or county office, if  
the nominating petition is for a state or county office, or for  
any municipal or township office, for member of a city, local,

or exempted village board of education, or for member of a 4144  
governing board of an educational service center, if the 4145  
nominating petition is for a municipal or township office, or 4146  
for member of a city, local, or exempted village board of 4147  
education, or for member of a governing board of an educational 4148  
service center. When a petition of a candidate has been accepted 4149  
for filing by a board of elections, the petition shall not be 4150  
deemed invalid if, upon verification of signatures contained in 4151  
the petition, the board of elections finds the number of 4152  
signatures accepted exceeds three times the minimum number of 4153  
signatures required. ~~A board of elections may discontinue~~ 4154  
~~verifying signatures when the number of verified signatures on a~~ 4155  
~~petition equals the minimum required number of qualified~~ 4156  
~~signatures.~~ 4157

Any nonjudicial candidate who files a nominating petition 4158  
may request, at the time of filing, that the candidate be 4159  
designated on the ballot as a nonparty candidate or as an other- 4160  
party candidate, or may request that the candidate's name be 4161  
placed on the ballot without any designation. Any such candidate 4162  
who fails to request a designation either as a nonparty 4163  
candidate or as an other-party candidate shall have the 4164  
candidate's name placed on the ballot without any designation. 4165

The purpose of establishing a filing deadline for 4166  
independent candidates prior to the primary election immediately 4167  
preceding the general election at which the candidacy is to be 4168  
voted on by the voters is to recognize that the state has a 4169  
substantial and compelling interest in protecting its electoral 4170  
process by encouraging political stability, ensuring that the 4171  
winner of the election will represent a majority of the 4172  
community, providing the electorate with an understandable 4173  
ballot, and enhancing voter education, thus fostering informed 4174

and educated expressions of the popular will in a general 4175  
election. The filing deadline for independent candidates 4176  
required in this section prevents splintered parties and 4177  
unrestrained factionalism, avoids political fragmentation, and 4178  
maintains the integrity of the ballot. The deadline, one day 4179  
prior to the primary election, is the least drastic or 4180  
restrictive means of protecting these state interests. The 4181  
general assembly finds that the filing deadline for independent 4182  
candidates in primary elections required in this section is 4183  
reasonably related to the state's purpose of ensuring fair and 4184  
honest elections while leaving unimpaired the political, voting, 4185  
and associational rights secured by the first and fourteenth 4186  
amendments to the United States Constitution. 4187

**Sec. 3513.259.** Nominations of candidates for the office of 4188  
member of the state board of education shall be made only by 4189  
nominating petition. The nominating petition of a candidate for 4190  
the office of member of the state board of education shall be 4191  
signed by not less than one hundred qualified electors. 4192

No such nominating petition shall be accepted for filing 4193  
if it appears on its face to contain signatures aggregating in 4194  
number more than three times the minimum number of signatures 4195  
required by this section. A board of elections shall not accept 4196  
for filing a nominating petition of a person if that person, for 4197  
the same election, has already filed a declaration of candidacy, 4198  
a declaration of intent to be a write-in candidate, or a 4199  
nominating petition, or has become a candidate through party 4200  
nomination at a primary election or by the filling of a vacancy 4201  
under section 3513.30 or 3513.31 of the Revised Code, to be a 4202  
candidate for any other state office or any federal or county 4203  
office. When a petition of a candidate has been accepted for 4204  
filing by a board of elections, the petition shall not be deemed 4205

invalid if, upon verification of signatures contained in the 4206  
petition, the board of elections finds the number of signatures 4207  
accepted exceeds three times the minimum number of signatures 4208  
required. ~~A board of elections may discontinue verifying~~ 4209  
~~signatures when the number of verified signatures equals the~~ 4210  
~~minimum required number of signatures.~~ Such petition shall be 4211  
filed with the board of elections of the most populous county in 4212  
such district not later than four p.m. of the ninetieth day 4213  
before the day of the general election at which state board of 4214  
education members are elected. 4215

Each nominating petition shall be signed by qualified 4216  
electors residing in the district in which the candidate 4217  
designated therein would be a candidate for election to the 4218  
office of member of the state board of education. Each candidate 4219  
shall be a qualified elector residing in the district in which 4220  
the candidate seeks election to such office. 4221

As the word "district" is used in this section, it refers 4222  
to a district created under section 3301.01 of the Revised Code. 4223

**Sec. 3599.11.** (A) ~~No (1)~~ Subject to division (A) (2) of 4224  
this section, no person shall knowingly do any of the following: 4225

(a) Knowingly register or make application or attempt to 4226  
register in a precinct in which the person is not a qualified 4227  
voter; ~~or knowingly~~ 4228

(b) Knowingly aid or abet any person to so register; ~~or~~ 4229  
~~attempt~~ 4230

(c) Knowingly attempt to register or knowingly induce or 4231  
attempt to induce any person to so register; ~~or knowingly~~ 4232

(d) Knowingly impersonate another or write or assume the 4233  
name of another, real or fictitious, in registering or 4234



attempting to register; ~~or by~~ 4235

(e) By false statement or other unlawful means, knowingly 4236  
procure, aid, or attempt to procure the erasure or striking out 4237  
on the register or duplicate list of the name of a qualified 4238  
elector therein; ~~or knowingly~~ 4239

(f) Knowingly induce or attempt to induce a registrar or 4240  
other election authority to refuse registration in a precinct to 4241  
an elector thereof; ~~or knowingly~~ 4242

(g) Knowingly swear or affirm falsely upon a lawful 4243  
examination by or before any registering officer; ~~or make~~ 4244

(h) Knowingly make, print, or issue any false or 4245  
counterfeit certificate of registration or knowingly alter any 4246  
certificate of registration- 4247

~~No person shall knowingly;~~ 4248

(i) Knowingly register under more than one name or 4249  
knowingly induce any person to so register- 4250

~~No person shall knowingly;~~ 4251

(j) Knowingly make any false statement on any form for 4252  
registration or change of registration or upon any application 4253  
or return envelope for an absent voter's ballot. 4254

(2) (a) A person whose voter registration or voter 4255  
registration update is processed through the automated voter 4256  
registration and verification system described in section 4257  
3503.11 of the Revised Code and who is not a qualified voter in 4258  
the precinct or under the name indicated violates division (A) 4259  
(1) of this section only if the person knowingly provides or 4260  
attempts to provide false information with the intention of 4261  
registering or submitting a registration update using that 4262

information. 4263

(b) A person who aids, abets, induces, or attempts to 4264  
induce another person to have the other person's voter 4265  
registration or voter registration update processed through the 4266  
automated voter registration and verification system described 4267  
in section 3503.11 of the Revised Code when the other person is 4268  
not a qualified voter in the precinct or under the name 4269  
indicated violates division (A) (1) of this section only if the 4270  
person knowingly causes or attempts to cause the other person to 4271  
be registered to vote or to have the other person's registration 4272  
updated using information the person knows is false. 4273

(3) Whoever violates ~~this~~ division (A) (1) of this section 4274  
is guilty of a felony of the fifth degree. 4275

(B) (1) No person who helps another person register outside 4276  
an official voter registration place shall knowingly destroy, or 4277  
knowingly help another person to destroy, any completed 4278  
registration form. 4279

Whoever violates this division is guilty of election 4280  
falsification, a felony of the fifth degree. 4281

(2) (a) No person who helps another person register outside 4282  
an official voter registration place shall knowingly fail to 4283  
return any registration form entrusted to that person to any 4284  
board of elections or the office of the secretary of state 4285  
within ten days after that ~~registration~~ registration form is 4286  
completed, or on or before the thirtieth day before the 4287  
election, whichever day is earlier, unless the registration form 4288  
is received by the person within twenty-four hours of the 4289  
thirtieth day before the election, in which case the person 4290  
shall return the registration form to any board of elections or 4291

the office of the secretary of state within ten days of its receipt. 4292  
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Whoever violates this division is guilty of election falsification, a felony of the fifth degree, unless the person has not previously been convicted of a violation of division (B) (2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the violation of this division does not cause any person to miss any voter registration deadline with regard to any election, and the number of voter registration forms that the violator has failed to properly return does not exceed forty-nine, in which case the violator is guilty of a misdemeanor of the first degree. 4294  
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(b) Subject to division (C) (2) of this section, no person who helps another person register outside an official registration place shall knowingly return any registration form entrusted to that person to any location other than any board of elections or the office of the secretary of state. 4303  
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Whoever violates this division is guilty of election falsification, a felony of the fifth degree, unless the person has not previously been convicted of a violation of division (B) (2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the violation of this division does not cause any person to miss any voter registration deadline with regard to any election, and the number of voter registration forms that the violator has failed to properly return does not exceed forty-nine, in which case the violator is guilty of a misdemeanor of the first degree. 4308  
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(C) (1) No person who receives compensation for registering a voter shall knowingly fail to return any registration form entrusted to that person to any board of elections or the office of the secretary of state within ten days after that voter registration form is completed, or on or before the thirtieth 4317  
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day before the election, whichever is earlier, unless the 4322  
registration form is received by the person within twenty-four 4323  
hours of the thirtieth day before the election, in which case 4324  
the person shall return the registration form to any board of 4325  
elections or the office of the ~~secretary~~secretary of state 4326  
within ten days of its receipt. 4327

Whoever violates this division is guilty of election 4328  
falsification, a felony of the fifth degree, unless the person 4329  
has not previously been convicted of a violation of division (B) 4330  
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the 4331  
violation of this division does not cause any person to miss any 4332  
voter registration deadline with regard to any election, and the 4333  
number of voter registration forms that the violator has failed 4334  
to properly return does not exceed forty-nine, in which case the 4335  
violator is guilty of a misdemeanor of the first degree. 4336

(2) No person who receives compensation for registering a 4337  
voter shall knowingly return any registration form entrusted to 4338  
that person to any location other than any board of elections or 4339  
the office of the secretary of state. 4340

Whoever violates this division is guilty of election 4341  
falsification, a felony of the fifth degree, unless the person 4342  
has not previously been convicted of a violation of division (B) 4343  
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the 4344  
violation of this division does not cause any person to miss any 4345  
voter registration deadline with regard to any election, and the 4346  
number of voter registration forms that the violator has failed 4347  
to properly return does not exceed forty-nine, in which case the 4348  
violator is guilty of a misdemeanor of the first degree. 4349

(D) As used in division (C) of this section, "registering 4350  
a voter" includes any effort, for compensation, to provide voter 4351

registration forms or to assist persons in completing or 4352  
returning those forms. 4353

**Sec. 3599.12.** (A) No person shall do any of the following: 4354

(1) Vote or attempt to vote in any primary, special, or 4355  
general election in a precinct in which that person is not a 4356  
legally qualified elector; 4357

(2) Vote or attempt to vote more than once at the same 4358  
election by any means, including voting or attempting to vote 4359  
both by absent voter's ballots under division ~~(G)~~(E) of section 4360  
3503.16 of the Revised Code and by regular ballot at the polls 4361  
at the same election, or voting or attempting to vote both by 4362  
absent voter's ballots under division ~~(G)~~(E) of section 3503.16 4363  
of the Revised Code and by absent voter's ballots under Chapter 4364  
3509. or armed service absent voter's ballots under Chapter 4365  
3511. of the Revised Code at the same election; 4366

(3) Impersonate or sign the name of another person, real 4367  
or fictitious, living or dead, and vote or attempt to vote as 4368  
that other person in any such election; 4369

(4) Cast a ballot at any such election after objection has 4370  
been made and sustained to that person's vote; 4371

(5) Knowingly vote or attempt to vote a ballot other than 4372  
the official ballot. 4373

(B) Whoever violates division (A) of this section is 4374  
guilty of a felony of the fourth degree. 4375

**Sec. 3599.18.** (A) No election official, person assisting 4376  
in the registration of electors, or police officer shall 4377  
knowingly do any of the following: 4378

(1) Refuse, neglect, or unnecessarily delay, hinder, or 4379

prevent the registration of a qualified elector, who in a lawful 4380  
manner applies for registration or who should be registered or 4381  
have the elector's registration updated under section 3503.11 of 4382  
the Revised Code; 4383

(2) Enter or consent to the entry of a fictitious name on 4384  
a voter registration list; 4385

(3) Alter the name on or remove or destroy the 4386  
registration card or form of any qualified elector; 4387

(4) Neglect, unlawfully execute, or fail to execute any 4388  
duty enjoined upon that person as an election official, person 4389  
assisting in the registration of electors, or police officer. 4390

(B) Whoever violates division (A) of this section is 4391  
guilty of a misdemeanor of the first degree. 4392

**Section 2.** That existing sections 3501.01, 3501.05, 4393  
3501.38, 3503.09, 3503.12, 3503.13, 3503.14, 3503.15, 3503.16, 4394  
3503.19, 3503.21, 3503.28, 3503.30, 3503.33, 3505.183, 3509.01, 4395  
3509.02, 3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.07, 4396  
3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 4397  
3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 3513.05, 3513.251, 4398  
3513.253, 3513.254, 3513.255, 3513.257, 3513.259, 3599.11, 4399  
3599.12, and 3599.18 of the Revised Code are hereby repealed. 4400

**Section 3.** That section 3503.11 of the Revised Code is 4401  
hereby repealed. 4402

**Section 4.** The Secretary of State shall implement the 4403  
automated voter registration and verification program created by 4404  
this act not later than one year after this section takes 4405  
effect. 4406

**Section 5.** This act shall be known as the Ohio Election 4407

Security and Modernization Act. 4408

**Section 6.** The General Assembly, applying the principle 4409  
stated in division (B) of section 1.52 of the Revised Code that 4410  
amendments are to be harmonized if reasonably capable of 4411  
simultaneous operation, finds that the following sections, 4412  
presented in this act as composites of the sections as amended 4413  
by the acts indicated, are the resulting versions of the 4414  
sections in effect prior to the effective date of the sections 4415  
as presented in this act: 4416

Section 3503.21 of the Revised Code as amended by both 4417  
H.B. 359 and S.B. 63 of the 131st General Assembly. 4418

Section 3511.10 of the Revised Code as amended by both 4419  
S.B. 205 and S.B. 238 of the 130th General Assembly. 4420