

As Reported by the House Government Oversight Committee

134th General Assembly

Regular Session

2021-2022

Sub. H. B. No. 294

Representatives Seitz, Ray

Cosponsors: Representatives Ginter, Carfagna, Jones, Abrams, Baldrige, Bird, Carruthers, Click, Cross, Cutrona, Fraizer, Ghanbari, Hall, Hillyer, Holmes, Kick, Lampton, LaRe, Lipps, Loychik, McClain, Plummer, Richardson, Riedel, Roemer, Schmidt, Wilkin

A BILL

To amend sections 302.03, 323.17, 3501.01, 3501.05, 1
3501.11, 3501.22, 3503.16, 3505.13, 3505.14, 2
3506.14, 3509.01, 3509.03, 3509.04, 3509.05, 3
3509.051, 3509.06, 3509.08, 3509.09, 3511.02, 4
3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 5
3511.09, 3511.10, 3511.11, 3511.13, 3513.301, 6
3513.312, 3521.03, 3599.21, 4506.11, 4507.13, 7
4507.51, and 4507.52 and to enact sections 8
3505.19, 3506.24, 3509.031, 3521.031, and 9
4507.233 of the Revised Code to modify the law 10
governing absent voting, to make other changes 11
to the Election Law, and to make an 12
appropriation. 13

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

Section 1. That sections 302.03, 323.17, 3501.01, 3501.05, 14
3501.11, 3501.22, 3503.16, 3505.13, 3505.14, 3506.14, 3509.01, 15
3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.08, 3509.09, 16
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 17

3511.10, 3511.11, 3511.13, 3513.301, 3513.312, 3521.03, 3599.21, 18
4506.11, 4507.13, 4507.51, and 4507.52 be amended and sections 19
3505.19, 3506.24, 3509.031, 3521.031, and 4507.233 of the 20
Revised Code be enacted to read as follows: 21

Sec. 302.03. (A) The board of county commissioners of any 22
county may, by a two-thirds vote of the board, or shall, upon 23
petition by ~~three~~ten per cent of the electors of the county as 24
determined by the number of votes cast therein for the office of 25
governor at the most recent gubernatorial election, by 26
resolution, cause the board of elections in the county to submit 27
to the electors of the county the question of adopting one of 28
the alternative forms of county government authorized by 29
sections 302.01 to 302.24 of the Revised Code. The question 30
shall be voted upon at the next general election occurring not 31
less than ninety days after the certification of the resolution 32
to the board of elections. 33

(B) If, in any county, a resolution is adopted by the 34
board of county commissioners requiring that the question of 35
choosing a commission to frame a county charter be submitted to 36
the electors thereof prior to the resolution provided for in 37
this section, the proposition to adopt an alternative form of 38
county government provided in sections 302.01 to 302.24 of the 39
Revised Code, shall not be submitted in that county as long as 40
the question of choosing such commission or of adopting a 41
charter framed by such commission is pending therein. 42

(C) Any proposition for an alternative form of county 43
government shall specify the number of members of the board of 44
county commissioners, how many shall be elected at large, or how 45
many shall be elected by districts. 46

Sec. 323.17. When any taxing authority in the county has 47

certified to the board of elections a resolution that would 48
serve to place upon the ballot at a general election or at any 49
special election held prior to the general election but 50
subsequent to the first Tuesday after the first Monday in ~~August~~ 51
May the question of a tax to be levied on the current tax list 52
and duplicate for any purpose, or if the auditor has not 53
received the certified reduction factors as required by division 54
(D) (2) of section 319.301 of the Revised Code, the time for 55
delivery of the tax duplicate of the county treasurer by the 56
county auditor as provided in section 319.28 of the Revised Code 57
shall be extended to the first Monday in December. When delivery 58
of the tax duplicate has been so delayed, the times for payment 59
of taxes as fixed by section 323.12 of the Revised Code may be 60
extended to the thirty-first day of January and the twentieth 61
day of July. In case of emergency the tax commissioner may, by 62
journal entry, extend the times for delivery of the duplicate in 63
any county for an additional fifteen days upon receipt of a 64
written application from the county auditor, in the case of a 65
delay in the delivery of the tax duplicate, or from the 66
treasurer regarding an extension of the time for the billing and 67
collection of taxes. 68

When a delay in the closing of a tax collection period 69
becomes unavoidable, the tax commissioner, upon application of 70
the county auditor and county treasurer, may extend the time for 71
payment of taxes if ~~he~~ the commissioner determines that 72
penalties have accrued or would otherwise accrue for reasons 73
beyond the control of the taxpayers of the county. The order so 74
issued by the commissioner shall prescribe the final extended 75
date for the payment of taxes for that collection period. 76

"Emergency," as used in this section, includes death or 77
serious illness, any organized work stoppage, mechanical failure 78

of office equipment or machinery, or a delay in complying with 79
section 5715.24 or 5715.26 of the Revised Code which will cause 80
an unavoidable delay in the delivery of duplicates or in the 81
billing or collection of taxes. Such application shall contain a 82
statement describing the emergency that will cause the 83
unavoidable delay. Any application from the county auditor for 84
an extension of time for delivery of the duplicate due to an 85
emergency must be received by the tax commissioner on or before 86
the last day of the month preceding the date required for such 87
delivery. When an extension of time for delivery of the 88
duplicate is so granted, the time for payment of taxes shall be 89
extended for a like period of time. 90

Whenever taxable real property has been destroyed or 91
damaged by fire, flood, tornado, or otherwise, in an amount not 92
less than twenty-five per cent of the value as listed and 93
assessed for taxation but in no event less than two thousand 94
dollars of taxable value, the county board of revision, by 95
resolution, may extend the time for payment of taxes on such 96
property not more than one year after the time fixed by section 97
323.12 of the Revised Code. The board shall file a copy of such 98
resolution with the county auditor and county treasurer, stating 99
the name of the owner and description as it appears on the tax 100
list, the taxing district, the type and kind of property 101
destroyed or damaged, and the board's estimate of the amount of 102
such destruction or damage. 103

Sec. 3501.01. As used in the sections of the Revised Code 104
relating to elections and political communications: 105

(A) "General election" means the election held on the 106
first Tuesday after the first Monday in each November. 107

(B) "Regular municipal election" means the election held 108

on the first Tuesday after the first Monday in November in each 109
odd-numbered year. 110

(C) "Regular state election" means the election held on 111
the first Tuesday after the first Monday in November in each 112
even-numbered year. 113

(D) "Special election" means any election other than those 114
elections defined in other divisions of this section. A special 115
election may be held only on the first Tuesday after the first 116
Monday in May, ~~August~~, or November, on the first Tuesday after 117
the first Monday in August in accordance with section 3505.19 or 118
3521.031 of the Revised Code, or on the day authorized by a 119
particular municipal or county charter for the holding of a 120
primary election, except that in any year in which a 121
presidential primary election is held, no special election shall 122
be held in May, except as authorized by a municipal or county 123
charter, but may be held on the third Tuesday after the first 124
Monday in March. 125

(E) (1) "Primary" or "primary election" means an election 126
held for the purpose of nominating persons as candidates of 127
political parties for election to offices, and for the purpose 128
of electing persons as members of the controlling committees of 129
political parties and as delegates and alternates to the 130
conventions of political parties. Primary elections shall be 131
held on the first Tuesday after the first Monday in May of each 132
year except in years in which a presidential primary election is 133
held. 134

(2) "Presidential primary election" means a primary 135
election as defined by division (E) (1) of this section at which 136
an election is held for the purpose of choosing delegates and 137
alternates to the national conventions of the major political 138

parties pursuant to section 3513.12 of the Revised Code. Unless 139
otherwise specified, presidential primary elections are included 140
in references to primary elections. In years in which a 141
presidential primary election is held, all primary elections 142
shall be held on the third Tuesday after the first Monday in 143
March except as otherwise authorized by a municipal or county 144
charter. 145

(F) "Political party" means any group of voters meeting 146
the requirements set forth in section 3517.01 of the Revised 147
Code for the formation and existence of a political party. 148

(1) "Major political party" means any political party 149
organized under the laws of this state whose candidate for 150
governor or nominees for presidential electors received not less 151
than twenty per cent of the total vote cast for such office at 152
the most recent regular state election. 153

(2) "Minor political party" means any political party 154
organized under the laws of this state that meets either of the 155
following requirements: 156

(a) Except as otherwise provided in this division, the 157
political party's candidate for governor or nominees for 158
presidential electors received less than twenty per cent but not 159
less than three per cent of the total vote cast for such office 160
at the most recent regular state election. A political party 161
that meets the requirements of this division remains a political 162
party for a period of four years after meeting those 163
requirements. 164

(b) The political party has filed with the secretary of 165
state, subsequent to its failure to meet the requirements of 166
division (F) (2) (a) of this section, a petition that meets the 167

requirements of section 3517.01 of the Revised Code. 168

A newly formed political party shall be known as a minor 169
political party until the time of the first election for 170
governor or president which occurs not less than twelve months 171
subsequent to the formation of such party, after which election 172
the status of such party shall be determined by the vote for the 173
office of governor or president. 174

(G) "Dominant party in a precinct" or "dominant political 175
party in a precinct" means that political party whose candidate 176
for election to the office of governor at the most recent 177
regular state election at which a governor was elected received 178
more votes than any other person received for election to that 179
office in such precinct at such election. 180

(H) "Candidate" means any qualified person certified in 181
accordance with the provisions of the Revised Code for placement 182
on the official ballot of a primary, general, or special 183
election to be held in this state, or any qualified person who 184
claims to be a write-in candidate, or who knowingly assents to 185
being represented as a write-in candidate by another at either a 186
primary, general, or special election to be held in this state. 187

(I) "Independent candidate" means any candidate who claims 188
not to be affiliated with a political party, and whose name has 189
been certified on the office-type ballot at a general or special 190
election through the filing of a statement of candidacy and 191
nominating petition, as prescribed in section 3513.257 of the 192
Revised Code. 193

(J) "Nonpartisan candidate" means any candidate whose name 194
is required, pursuant to section 3505.04 of the Revised Code, to 195
be listed on the nonpartisan ballot, including all candidates 196

for judge of a municipal court, county court, or court of common 197
pleas, for member of any board of education, for municipal or 198
township offices in which primary elections are not held for 199
nominating candidates by political parties, and for offices of 200
municipal corporations having charters that provide for separate 201
ballots for elections for these offices. 202

(K) "Party candidate" means any candidate who claims to be 203
a member of a political party and who has been certified to 204
appear on the office-type ballot at a general or special 205
election as the nominee of a political party because the 206
candidate has won the primary election of the candidate's party 207
for the public office the candidate seeks, has been nominated 208
under section 3517.012, or is selected by party committee in 209
accordance with section 3513.31 of the Revised Code. 210

(L) "Officer of a political party" includes, but is not 211
limited to, any member, elected or appointed, of a controlling 212
committee, whether representing the territory of the state, a 213
district therein, a county, township, a city, a ward, a 214
precinct, or other territory, of a major or minor political 215
party. 216

(M) "Question or issue" means any question or issue 217
certified in accordance with the Revised Code for placement on 218
an official ballot at a general or special election to be held 219
in this state. 220

(N) "Elector" or "qualified elector" means a person having 221
the qualifications provided by law to be entitled to vote. 222

(O) "Voter" means an elector who votes at an election. 223

(P) "Voting residence" means that place of residence of an 224
elector which shall determine the precinct in which the elector 225

may vote.	226
(Q) "Precinct" means a district within a county	227
established by the board of elections of such county within	228
which all qualified electors having a voting residence therein	229
may vote at the same polling place.	230
(R) "Polling place" means that place provided for each	231
precinct at which the electors having a voting residence in such	232
precinct may vote.	233
(S) "Board" or "board of elections" means the board of	234
elections appointed in a county pursuant to section 3501.06 of	235
the Revised Code.	236
(T) "Political subdivision" means a county, township,	237
city, village, or school district.	238
(U) "Election officer" or "election official" means any of	239
the following:	240
(1) Secretary of state;	241
(2) Employees of the secretary of state serving the	242
division of elections in the capacity of attorney,	243
administrative officer, administrative assistant, elections	244
administrator, office manager, or clerical supervisor;	245
(3) Director of a board of elections;	246
(4) Deputy director of a board of elections;	247
(5) Member of a board of elections;	248
(6) Employees of a board of elections;	249
(7) Precinct election officials;	250
(8) Employees appointed by the boards of elections on a	251

temporary or part-time basis. 252

(V) "Acknowledgment notice" means a notice sent by a board 253
of elections, on a form prescribed by the secretary of state, 254
informing a voter registration applicant or an applicant who 255
wishes to change the applicant's residence or name of the status 256
of the application; the information necessary to complete or 257
update the application, if any; and if the application is 258
complete, the precinct in which the applicant is to vote. 259

(W) "Confirmation notice" means a notice sent by a board 260
of elections, on a form prescribed by the secretary of state, to 261
a registered elector to confirm the registered elector's current 262
address. 263

(X) "Designated agency" means an office or agency in the 264
state that provides public assistance or that provides state- 265
funded programs primarily engaged in providing services to 266
persons with disabilities and that is required by the National 267
Voter Registration Act of 1993 to implement a program designed 268
and administered by the secretary of state for registering 269
voters, or any other public or government office or agency that 270
implements a program designed and administered by the secretary 271
of state for registering voters, including the department of job 272
and family services, the program administered under section 273
3701.132 of the Revised Code by the department of health, the 274
department of mental health and addiction services, the 275
department of developmental disabilities, the opportunities for 276
Ohioans with disabilities agency, and any other agency the 277
secretary of state designates. "Designated agency" does not 278
include public high schools and vocational schools, public 279
libraries, or the office of a county treasurer. 280

(Y) "National Voter Registration Act of 1993" means the 281

"National Voter Registration Act of 1993," 107 Stat. 77, 42	282
U.S.C.A. 1973gg.	283
(Z) "Voting Rights Act of 1965" means the "Voting Rights	284
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended.	285
(AA) "Photo identification" means a document that meets	286
each of the following requirements:	287
(1) It shows the name of the individual to whom it was	288
issued, which shall conform to the name in the poll list or	289
signature pollbook.	290
(2) It shows the current address of the individual to whom	291
it was issued, which shall conform to the address in the poll	292
list or signature pollbook, except for a driver's license or a	293
state identification card issued under section 4507.50 of the	294
Revised Code, which may show either the current or former	295
address of the individual to whom it was issued, regardless of	296
whether that address conforms to the address in the poll list or	297
signature pollbook.	298
(3) It shows a photograph of the individual to whom it was	299
issued.	300
(4) It includes an expiration date that has not passed.	301
(5) It was issued by the government of the United States	302
or this state.	303
Sec. 3501.05. The secretary of state shall do all of the	304
following:	305
(A) Appoint all members of boards of elections;	306
(B) Issue instructions by directives and advisories in	307
accordance with section 3501.053 of the Revised Code to members	308

of the boards as to the proper methods of conducting elections.	309
(C) Prepare rules and instructions for the conduct of elections;	310 311
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	312 313 314
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	315 316
(F) Prescribe the form of registration cards, blanks, and records;	317 318
(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;	319 320 321 322
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	323 324 325
(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;	326 327 328 329 330
(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;	331 332 333 334 335
(K) Receive all initiative and referendum petitions on	336

state questions and issues and determine and certify to the 337
sufficiency of those petitions; 338

(L) Require such reports from the several boards as are 339
provided by law, or as the secretary of state considers 340
necessary; 341

(M) Compel the observance by election officers in the 342
several counties of the requirements of the election laws; 343

(N) (1) Except as otherwise provided in division (N) (2) of 344
this section, investigate the administration of election laws, 345
frauds, and irregularities in elections in any county, and 346
report violations of election laws to the attorney general or 347
prosecuting attorney, or both, for prosecution; 348

(2) On and after August 24, 1995, report a failure to 349
comply with or a violation of a provision in sections 3517.08 to 350
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 351
Code, whenever the secretary of state has or should have 352
knowledge of a failure to comply with or a violation of a 353
provision in one of those sections, by filing a complaint with 354
the Ohio elections commission under section 3517.153 of the 355
Revised Code. 356

(O) Make an annual report to the governor containing the 357
results of elections, the cost of elections in the various 358
counties, a tabulation of the votes in the several political 359
subdivisions, and other information and recommendations relative 360
to elections the secretary of state considers desirable; 361

(P) Prescribe and distribute to boards of elections a list 362
of instructions indicating all legal steps necessary to petition 363
successfully for local option elections under sections 4301.32 364
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 365

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

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

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

(3) A uniform system for marking or removing the name of a voter who is ineligible to vote from the statewide voter registration database and, if applicable, from the poll list or signature pollbook used in each precinct and noting the reason for that mark or removal.

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

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

motor vehicles, public high schools and vocational schools,	395
public libraries, and offices of county treasurers;	396
(T) To the extent feasible, provide copies, at no cost and	397
upon request, of the voter registration form in post offices in	398
this state;	399
(U) Adopt rules pursuant to section 111.15 of the Revised	400
Code for the purpose of implementing the program for registering	401
voters through boards of elections, designated agencies, and the	402
offices of the registrar and deputy registrars of motor vehicles	403
consistent with this chapter;	404
(V) Establish the full-time position of Americans with	405
Disabilities Act coordinator within the office of the secretary	406
of state to do all of the following:	407
(1) Assist the secretary of state with ensuring that there	408
is equal access to polling places for persons with disabilities;	409
(2) Assist the secretary of state with ensuring that each	410
voter may cast the voter's ballot in a manner that provides the	411
same opportunity for access and participation, including privacy	412
and independence, as for other voters;	413
(3) Advise the secretary of state in the development of	414
standards for the certification of voting machines, marking	415
devices, and automatic tabulating equipment.	416
(W) Establish and maintain a computerized statewide	417
database of all legally registered voters under section 3503.15	418
of the Revised Code that complies with the requirements of the	419
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat.	420
1666, and provide training in the operation of that system;	421
(X) Ensure that all directives, advisories, other	422

instructions, or decisions issued or made during or as a result 423
of any conference or teleconference call with a board of 424
elections to discuss the proper methods and procedures for 425
conducting elections, to answer questions regarding elections, 426
or to discuss the interpretation of directives, advisories, or 427
other instructions issued by the secretary of state are posted 428
on a web site of the office of the secretary of state as soon as 429
is practicable after the completion of the conference or 430
teleconference call, but not later than the close of business on 431
the same day as the conference or teleconference call takes 432
place. 433

(Y) Publish a report on a web site of the office of the 434
secretary of state not later than one month after the completion 435
of the canvass of the election returns for each primary and 436
general election, identifying, by county, the number of absent 437
voter's ballots cast and the number of those ballots that were 438
counted, and the number of provisional ballots cast and the 439
number of those ballots that were counted, for that election. 440
The secretary of state shall maintain the information on the web 441
site in an archive format for each subsequent election. 442

(Z) Conduct voter education outlining voter 443
identification, absent voters ballot, provisional ballot, and 444
other voting requirements; 445

(AA) Establish a procedure by which a registered elector 446
may make available to a board of elections a more recent 447
signature to be used in the poll list or signature pollbook 448
produced by the board of elections of the county in which the 449
elector resides; 450

(BB) Disseminate information, which may include all or 451
part of the official explanations and arguments, by means of 452

direct mail or other written publication, broadcast, or other 453
means or combination of means, as directed by the Ohio ballot 454
board under division (F) of section 3505.062 of the Revised 455
Code, in order to inform the voters as fully as possible 456
concerning each proposed constitutional amendment, proposed law, 457
or referendum; 458

(CC) Be the single state office responsible for the 459
implementation of the "Uniformed and Overseas Citizens Absentee 460
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 461
1973ff, et seq., as amended, in this state. The secretary of 462
state may delegate to the boards of elections responsibilities 463
for the implementation of that act, including responsibilities 464
arising from amendments to that act made by the "Military and 465
Overseas Voter Empowerment Act," Subtitle H of the "National 466
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 467
111-84, 123 Stat. 3190. 468

(DD) Adopt rules, under Chapter 119. of the Revised Code, 469
to establish procedures and standards for determining when a 470
board of elections shall be placed under the official oversight 471
of the secretary of state, placing a board of elections under 472
the official oversight of the secretary of state, a board that 473
is under official oversight to transition out of official 474
oversight, and the secretary of state to supervise a board of 475
elections that is under official oversight of the secretary of 476
state. 477

(EE) Perform other duties required by law. 478

Whenever a primary election is held under section 3513.32 479
of the Revised Code or a special election is held under section 480
3521.03 of the Revised Code to fill a vacancy in the office of 481
representative to congress, the secretary of state shall 482

establish a deadline, notwithstanding any other deadline 483
required under the Revised Code, by which any or all of the 484
following shall occur: the filing of a declaration of candidacy 485
and petitions or a statement of candidacy and nominating 486
petition together with the applicable filing fee; the filing of 487
protests against the candidacy of any person filing a 488
declaration of candidacy or nominating petition; the filing of a 489
declaration of intent to be a write-in candidate; the filing of 490
campaign finance reports; the preparation of, and the making of 491
corrections or challenges to, precinct voter registration lists; 492
the receipt of applications for absent voter's ballots or 493
uniformed services or overseas absent voter's ballots; the 494
supplying of election materials to precincts by boards of 495
elections; the holding of hearings by boards of elections to 496
consider challenges to the right of a person to appear on a 497
voter registration list; and the scheduling of programs to 498
instruct or reinstruct election officers. 499

In the performance of the secretary of state's duties as 500
the chief election officer, the secretary of state may 501
administer oaths, issue subpoenas, summon witnesses, compel the 502
production of books, papers, records, and other evidence, and 503
fix the time and place for hearing any matters relating to the 504
administration and enforcement of the election laws. 505

In any controversy involving or arising out of the 506
adoption of registration or the appropriation of funds for 507
registration, the secretary of state may, through the attorney 508
general, bring an action in the name of the state in the court 509
of common pleas of the county where the cause of action arose or 510
in an adjoining county, to adjudicate the question. 511

In any action involving the laws in Title XXXV of the 512

Revised Code wherein the interpretation of those laws is in 513
issue in such a manner that the result of the action will affect 514
the lawful duties of the secretary of state or of any board of 515
elections, the secretary of state may, on the secretary of 516
state's motion, be made a party. 517

The secretary of state may apply to any court that is 518
hearing a case in which the secretary of state is a party, for a 519
change of venue as a substantive right, and the change of venue 520
shall be allowed, and the case removed to the court of common 521
pleas of an adjoining county named in the application or, if 522
there are cases pending in more than one jurisdiction that 523
involve the same or similar issues, the court of common pleas of 524
Franklin county. 525

Public high schools and vocational schools, public 526
libraries, and the office of a county treasurer shall implement 527
voter registration programs as directed by the secretary of 528
state pursuant to this section. 529

The secretary of state may mail unsolicited applications 530
for absent voter's ballots to individuals only for a general 531
election and only if the general assembly has made an 532
appropriation for that particular mailing. ~~Under no other~~ 533
~~circumstance shall a public office, or a public official or~~ 534
~~employee who is acting in an official capacity, mail unsolicited~~ 535
~~applications for absent voter's ballots to any individuals.~~ 536

Sec. 3501.11. Each board of elections shall exercise by a 537
majority vote all powers granted to the board by Title XXXV of 538
the Revised Code, shall perform all the duties imposed by law, 539
and shall do all of the following: 540

(A) Establish, define, provide, rearrange, and combine 541

election precincts;	542
(B) Fix and provide the places for registration and for	543
holding primaries and elections;	544
(C) Provide for the purchase, preservation, and	545
maintenance of booths, ballot boxes, books, maps, flags, blanks,	546
cards of instructions, and other forms, papers, and equipment	547
used in registration, nominations, and elections;	548
(D) Appoint and remove its director, deputy director, and	549
employees and all registrars, precinct election officials, and	550
other officers of elections, fill vacancies, and designate the	551
ward or district and precinct in which each shall serve;	552
(E) Make and issue rules and instructions, not	553
inconsistent with law or the rules, directives, or advisories	554
issued by the secretary of state, as it considers necessary for	555
the guidance of election officers and voters;	556
(F) Advertise and contract for the printing of all ballots	557
and other supplies used in registrations and elections;	558
(G) Provide for the issuance of all notices,	559
advertisements, and publications concerning elections, except as	560
otherwise provided in division (G) of section 3501.17 and	561
divisions (F) and (G) of section 3505.062 of the Revised Code;	562
(H) Provide for the delivery of ballots, pollbooks, and	563
other required papers and material to the polling places;	564
(I) Cause the polling places to be suitably provided with	565
voting machines, marking devices, automatic tabulating	566
equipment, stalls, and other required supplies. In fulfilling	567
this duty, each board of a county that uses voting machines,	568
marking devices, or automatic tabulating equipment shall conduct	569

a full vote of the board during a public session of the board on 570
the allocation and distribution of voting machines, marking 571
devices, and automatic tabulating equipment for each precinct in 572
the county. 573

(J) Investigate irregularities, nonperformance of duties, 574
or violations of Title XXXV of the Revised Code by election 575
officers and other persons; administer oaths, issue subpoenas, 576
summon witnesses, and compel the production of books, papers, 577
records, and other evidence in connection with any such 578
investigation; and report the facts to the prosecuting attorney 579
or the secretary of state; 580

(K) (1) Review, examine, and certify the sufficiency and 581
validity of petitions and nomination papers, and, after 582
certification, return to the secretary of state all petitions 583
and nomination papers that the secretary of state forwarded to 584
the board; 585

(2) Examine each initiative petition, or a petition filed 586
under section 307.94 or 307.95 of the Revised Code, received by 587
the board to determine whether the petition falls within the 588
scope of authority to enact via initiative and whether the 589
petition satisfies the statutory prerequisites to place the 590
issue on the ballot, as described in division (M) of section 591
3501.38 of the Revised Code. The petition shall be invalid if 592
any portion of the petition is not within the initiative power. 593

(L) Receive the returns of elections, canvass the returns, 594
make abstracts of them, and transmit those abstracts to the 595
proper authorities; 596

(M) Issue certificates of election on forms to be 597
prescribed by the secretary of state; 598

(N) Make an annual report to the secretary of state, on	599
the form prescribed by the secretary of state, containing a	600
statement of the number of voters registered, elections held,	601
votes cast, appropriations received, expenditures made, and	602
other data required by the secretary of state;	603
(O) Prepare and submit to the proper appropriating officer	604
a budget estimating the cost of elections for the ensuing fiscal	605
year;	606
(P) Perform other duties as prescribed by law or the	607
rules, directives, or advisories of the secretary of state;	608
(Q) Investigate and determine the residence qualifications	609
of electors;	610
(R) Administer oaths in matters pertaining to the	611
administration of the election laws;	612
(S) Prepare and submit to the secretary of state, whenever	613
the secretary of state requires, a report containing the names	614
and residence addresses of all incumbent county, municipal,	615
township, and board of education officials serving in their	616
respective counties;	617
(T) Establish and maintain a voter registration database	618
of all qualified electors in the county who offer to register;	619
(U) Maintain voter registration records, make reports	620
concerning voter registration as required by the secretary of	621
state, and remove ineligible electors from voter registration	622
lists in accordance with law and directives of the secretary of	623
state;	624
(V) Give approval to ballot language for any local	625
question or issue and transmit the language to the secretary of	626

state for the secretary of state's final approval; 627

(W) Prepare and cause the following notice to be displayed 628
in a prominent location in every polling place: 629

"NOTICE 630

Ohio law prohibits any person from voting or attempting to 631
vote more than once at the same election. 632

Violators are guilty of a felony of the fourth degree and 633
shall be imprisoned and additionally may be fined in accordance 634
with law." 635

(X) In all cases of a tie vote or a disagreement in the 636
board, if no decision can be arrived at, the director or 637
chairperson shall submit the matter in controversy, not later 638
than fourteen days after the tie vote or the disagreement, to 639
the secretary of state, who shall summarily decide the question, 640
and the secretary of state's decision shall be final. 641

(Y) Assist each designated agency, deputy registrar of 642
motor vehicles, public high school and vocational school, public 643
library, and office of a county treasurer in the implementation 644
of a program for registering voters at all voter registration 645
locations as prescribed by the secretary of state. Under this 646
program, each board of elections shall direct to the appropriate 647
board of elections any voter registration applications for 648
persons residing outside the county where the board is located 649
within five days after receiving the applications. 650

(Z) On any day on which an elector may vote in person at 651
the office of the board or at another site designated by the 652
board, consider the board or other designated site a polling 653
place for that day. All requirements or prohibitions of law that 654
apply to a polling place shall apply to the office of the board 655

or other designated site on that day. 656

(AA) Perform any duties with respect to voter registration 657
and voting by uniformed services and overseas voters that are 658
delegated to the board by law or by the rules, directives, or 659
advisories of the secretary of state. 660

(BB) Prepare an election administration plan and submit it 661
to the secretary of state not later than seventy-five days 662
before each presidential primary election and not later than one 663
hundred twenty days before each general election held in an 664
even-numbered year. The election administration plan shall be on 665
a template prescribed by the secretary of state and shall 666
include all of the following: 667

(1) Precinct election official recruitment, training, and 668
accountability; 669

(2) Resource allocation; 670

(3) Communication before and on the day of the election; 671

(4) Materials; 672

(5) Contingencies and continuity planning; 673

(6) Security; 674

(7) Voter registration; 675

(8) Absent voting; 676

(9) Polling places and accessibility; 677

(10) Ballot preparation; 678

(11) Pre-election testing; 679

(12) Reconciliation and audits; 680

(13) A master calendar; 681

(14) Any other topic prescribed by the secretary of state. 682

Sec. 3501.22. (A) (1) Except as otherwise provided in 683
division (A) (2) of this section, on or before the fifteenth day 684
of September in each year, the board of elections by a majority 685
vote shall, after careful examination and investigation as to 686
their qualifications, appoint for each election precinct four 687
residents of the county in which the precinct is located, as 688
precinct election officials. Except as otherwise provided in 689
division (C) of this section, all precinct election officials 690
shall be qualified electors. The precinct election officials 691
shall constitute the election officers of the precinct. Not more 692
than one-half of the total number of precinct election officials 693
shall be members of the same political party. The term of such 694
precinct officers shall be for one year. The board may, at any 695
time, designate any number of election officers, not more than 696
one-half of whom shall be members of the same political party, 697
to perform their duties at any precinct in any election. The 698
board may appoint additional officials, equally divided between 699
the two major political parties, when necessary to expedite 700
voting. If the board of elections determines that four precinct 701
election officials are not required in a precinct for a special 702
election, the board of elections may select two of the 703
precinct's election officers, who are not members of the same 704
political party, to serve as the precinct election officials for 705
that precinct in that special election. 706

Vacancies for unexpired terms shall be filled by the 707
board. When new precincts have been created, the board shall 708
appoint precinct election officials for those precincts for the 709
unexpired term. Any precinct election official may be summarily 710

removed from office at any time by the board for neglect of 711
duty, malfeasance, or misconduct in office or for any other good 712
and sufficient reason. 713

Precinct election officials shall perform all of the 714
duties provided by law for receiving the ballots and supplies, 715
opening and closing the polls, and overseeing the casting of 716
ballots during the time the polls are open, and any other duties 717
required by section 3501.26 of the Revised Code. 718

A board of elections may designate two precinct election 719
officials as counting officials to count and tally the votes 720
cast and certify the results of the election at each precinct, 721
and perform other duties as provided by law. To expedite the 722
counting of votes at each precinct, the board may appoint 723
additional officials, not more than one-half of whom shall be 724
members of the same political party. 725

Except as otherwise provided in division (A)(2) of this 726
section, the board shall designate one of the precinct election 727
officials who is a member of the dominant political party to 728
serve as a voting location manager, whose duty it is to deliver 729
the returns of the election and all supplies to the office of 730
the board. For these services, the voting location manager shall 731
receive additional compensation in an amount, consistent with 732
section 3501.28 of the Revised Code, determined by the board of 733
elections. 734

The board shall issue to each precinct election official a 735
certificate of appointment, which the official shall present to 736
the voting location manager at the time the polls are opened. 737

(2) If the board of elections, by a vote of at least three 738
members of the board, opts to have a single voting location 739

serve more than one precinct, the board may do any of the 740
following: 741

(a) Designate a single voting location manager for the 742
voting location. The voting location manager shall be a member 743
of the political party whose candidate received the highest 744
number of votes for governor at the most recent general election 745
for that office in the precincts whose polling places are 746
located at the applicable voting location, when tallying the 747
combined vote for governor in all such precincts. 748

(b) Combine the pollbooks for those precincts to create a 749
single pollbook for the voting location; 750

(c) If electronic pollbooks are being used in the voting 751
location, as described in section 3506.021 of the Revised Code, 752
appoint not less than two precinct election officials for each 753
precinct, so long as the board approves the decision to reduce 754
the number of precinct election officials by the affirmative 755
vote of at least three of its members. 756

(B) If the board of elections determines that not enough 757
qualified electors in a precinct are available to serve as 758
precinct officers, it may appoint persons to serve as precinct 759
officers at a primary, special, or general election who are at 760
least seventeen years of age and are registered to vote in 761
accordance with section 3503.07 of the Revised Code. 762

(C) (1) A board of elections, in conjunction with the board 763
of education of a city, local, or exempted village school 764
district, the governing authority of a community school 765
established under Chapter 3314. of the Revised Code, or the 766
chief administrator of a nonpublic school may establish a 767
program permitting certain high school students to apply and, if 768

appointed by the board of elections, to serve as precinct 769
officers at a primary, special, or general election. 770

In addition to the requirements established by division 771
(C) (2) of this section, a board of education, governing 772
authority, or chief administrator that establishes a program 773
under this division in conjunction with a board of elections may 774
establish additional criteria that students shall meet to be 775
eligible to participate in that program. 776

(2) (a) To be eligible to participate in a program 777
established under division (C) (1) of this section, a student 778
shall be a United States citizen, a resident of the county, and 779
at least seventeen years of age, ~~and enrolled in the senior year~~ 780
~~of high school.~~ 781

(b) Any student applying to participate in a program 782
established under division (C) (1) of this section, as part of 783
the student's application process, shall declare the student's 784
political party affiliation with the board of elections. 785

(3) No student appointed as a precinct officer pursuant to 786
a program established under division (C) (1) of this section 787
shall be designated as a voting location manager. 788

(4) Any student participating in a program established 789
under division (C) (1) of this section shall be excused for that 790
student's absence from school on the day of an election at which 791
the student is serving as a precinct officer. 792

(D) In any precinct with six or more precinct officers, up 793
to two students participating in a program established under 794
division (C) (1) of this section who are under eighteen years of 795
age may serve as precinct officers. Not more than one precinct 796
officer in any given precinct with fewer than six precinct 797

officers shall be under eighteen years of age. 798

Sec. 3503.16. (A) Except as otherwise provided in division 799
(E) of section 111.44 of the Revised Code, whenever a registered 800
elector changes the place of residence of that registered 801
elector from one precinct to another within a county or from one 802
county to another, or has a change of name, that registered 803
elector shall report the change by delivering a change of 804
residence or change of name form, whichever is appropriate, as 805
prescribed by the secretary of state under section 3503.14 of 806
the Revised Code to the state or local office of a designated 807
agency, a public high school or vocational school, a public 808
library, the office of the county treasurer, the office of the 809
secretary of state, any office of the registrar or deputy 810
registrar of motor vehicles, or any office of a board of 811
elections in person or by a third person. Any voter 812
registration, change of address, or change of name application, 813
returned by mail, may be sent only to the secretary of state or 814
the board of elections. 815

A registered elector also may update the registration of 816
that registered elector by filing a change of residence or 817
change of name form on the day of a special, primary, or general 818
election at the polling place in the precinct in which that 819
registered elector resides or at the board of elections or at 820
another site designated by the board. 821

(B) (1) (a) Any registered elector who moves within a 822
precinct on or prior to the day of a general, primary, or 823
special election and has not filed a notice of change of 824
residence with the board of elections may vote in that election 825
by going to that registered elector's assigned polling place, 826
completing and signing a notice of change of residence, showing 827

identification in the form of a current and valid photo 828
identification, a military identification, or a copy of a 829
current utility bill, bank statement, government check, 830
paycheck, or other government document, other than a notice of 831
voter registration mailed by a board of elections under section 832
3503.19 of the Revised Code, that shows the name and current 833
address of the elector, and casting a ballot. 834

(b) Any registered elector who changes the name of that 835
registered elector and remains within a precinct on or prior to 836
the day of a general, primary, or special election and has not 837
filed a notice of change of name with the board of elections may 838
vote in that election by going to that registered elector's 839
assigned polling place, completing and signing a notice of a 840
change of name, and casting a provisional ballot under section 841
3505.181 of the Revised Code. If the registered elector provides 842
to the precinct election officials proof of a legal name change, 843
such as a marriage license or court order that includes the 844
elector's current and prior names, the elector may complete and 845
sign a notice of change of name and cast a regular ballot. 846

(2) Any registered elector who moves from one precinct to 847
another within a county or moves from one precinct to another 848
and changes the name of that registered elector on or prior to 849
the day of a general, primary, or special election and has not 850
filed a notice of change of residence or change of name, 851
whichever is appropriate, with the board of elections may vote 852
in that election if that registered elector complies with 853
division (G) of this section or does all of the following: 854

(a) Appears at anytime during regular business hours on or 855
after the twenty-eighth day prior to the election in which that 856
registered elector wishes to vote or, if the election is held on 857

the day of a presidential primary election, the twenty-fifth day 858
prior to the election, through noon of the Saturday prior to the 859
election at the office of the board of elections, appears at any 860
time during regular business hours on the Monday prior to the 861
election at the office of the board of elections, or appears on 862
the day of the election at either of the following locations: 863

(i) The polling place for the precinct in which that 864
registered elector resides; 865

(ii) The office of the board of elections or, if pursuant 866
to division (C) of section 3501.10 of the Revised Code the board 867
has designated another location in the county at which 868
registered electors may vote, at that other location instead of 869
the office of the board of elections. 870

(b) Completes and signs, under penalty of election 871
falsification, the written affirmation on the provisional ballot 872
envelope, which shall serve as a notice of change of residence 873
or change of name, whichever is appropriate; 874

(c) Votes a provisional ballot under section 3505.181 of 875
the Revised Code at the polling place, at the office of the 876
board of elections, or, if pursuant to division (C) of section 877
3501.10 of the Revised Code the board has designated another 878
location in the county at which registered electors may vote, at 879
that other location instead of the office of the board of 880
elections, whichever is appropriate, using the address to which 881
that registered elector has moved or the name of that registered 882
elector as changed, whichever is appropriate; 883

(d) Completes and signs, under penalty of election 884
falsification, a statement attesting that that registered 885
elector moved or had a change of name, whichever is appropriate, 886

on or prior to the day of the election, has voted a provisional 887
ballot at the polling place for the precinct in which that 888
registered elector resides, at the office of the board of 889
elections, or, if pursuant to division (C) of section 3501.10 of 890
the Revised Code the board has designated another location in 891
the county at which registered electors may vote, at that other 892
location instead of the office of the board of elections, 893
whichever is appropriate, and will not vote or attempt to vote 894
at any other location for that particular election. 895

(C) Any registered elector who moves from one county to 896
another county within the state on or prior to the day of a 897
general, primary, or special election and has not registered to 898
vote in the county to which that registered elector moved may 899
vote in that election if that registered elector complies with 900
division (G) of this section or does all of the following: 901

(1) Appears at any time during regular business hours on 902
or after the twenty-eighth day prior to the election in which 903
that registered elector wishes to vote or, if the election is 904
held on the day of a presidential primary election, the twenty- 905
fifth day prior to the election, through noon of the Saturday 906
prior to the election at the office of the board of elections 907
or, if pursuant to division (C) of section 3501.10 of the 908
Revised Code the board has designated another location in the 909
county at which registered electors may vote, at that other 910
location instead of the office of the board of elections, 911
appears during regular business hours on the Monday prior to the 912
election at the office of the board of elections or, if pursuant 913
to division (C) of section 3501.10 of the Revised Code the board 914
has designated another location in the county at which 915
registered electors may vote, at that other location instead of 916
the office of the board of elections, or appears on the day of 917

the election at the office of the board of elections or, if 918
pursuant to division (C) of section 3501.10 of the Revised Code 919
the board has designated another location in the county at which 920
registered electors may vote, at that other location instead of 921
the office of the board of elections; 922

(2) Completes and signs, under penalty of election 923
falsification, the written affirmation on the provisional ballot 924
envelope, which shall serve as a notice of change of residence; 925

(3) Votes a provisional ballot under section 3505.181 of 926
the Revised Code at the office of the board of elections or, if 927
pursuant to division (C) of section 3501.10 of the Revised Code 928
the board has designated another location in the county at which 929
registered electors may vote, at that other location instead of 930
the office of the board of elections, using the address to which 931
that registered elector has moved; 932

(4) Completes and signs, under penalty of election 933
falsification, a statement attesting that that registered 934
elector has moved from one county to another county within the 935
state on or prior to the day of the election, has voted at the 936
office of the board of elections or, if pursuant to division (C) 937
of section 3501.10 of the Revised Code the board has designated 938
another location in the county at which registered electors may 939
vote, at that other location instead of the office of the board 940
of elections, and will not vote or attempt to vote at any other 941
location for that particular election. 942

(D) A person who votes by absent voter's ballots pursuant 943
to division (G) of this section shall not make written 944
application for the ballots pursuant to Chapter 3509. of the 945
Revised Code. Ballots cast pursuant to division (G) of this 946
section shall be set aside in a special envelope and counted 947

during the official canvass of votes in the manner provided for 948
in sections 3505.32 and 3509.06 of the Revised Code insofar as 949
that manner is applicable. The board shall examine the pollbooks 950
to verify that no ballot was cast at the polls or by absent 951
voter's ballots under Chapter 3509. or 3511. of the Revised Code 952
by an elector who has voted by absent voter's ballots pursuant 953
to division (G) of this section. Any ballot determined to be 954
insufficient for any of the reasons stated above or stated in 955
section 3509.07 of the Revised Code shall not be counted. 956

Subject to division (C) of section 3501.10 of the Revised 957
Code, a board of elections may lease or otherwise acquire a site 958
different from the office of the board at which registered 959
electors may vote pursuant to division (B) or (C) of this 960
section. 961

(E) Upon receiving a notice of change of residence or 962
change of name, the board of elections shall immediately send 963
the registrant an acknowledgment notice. If the change of 964
residence or change of name notice is valid, the board shall 965
update the voter's registration as appropriate. If that form is 966
incomplete, the board shall inform the registrant in the 967
acknowledgment notice specified in this division of the 968
information necessary to complete or update that registrant's 969
registration. 970

(F) Change of residence and change of name forms shall be 971
available at each polling place, and when these forms are 972
completed, noting changes of residence or name, as appropriate, 973
they shall be filed with election officials at the polling 974
place. Election officials shall return completed forms, together 975
with the pollbooks and tally sheets, to the board of elections. 976

The board of elections shall provide change of residence 977

and change of name forms to the probate court and court of 978
common pleas. The court shall provide the forms to any person 979
eighteen years of age or older who has a change of name by order 980
of the court or who applies for a marriage license. The court 981
shall forward all completed forms to the board of elections 982
within five days after receiving them. 983

(G) A registered elector who otherwise would qualify to 984
vote under division (B) or (C) of this section but is unable to 985
appear at the office of the board of elections or, if pursuant 986
to division (C) of section 3501.10 of the Revised Code the board 987
has designated another location in the county at which 988
registered electors may vote, at that other location, on account 989
of personal illness, physical disability, or infirmity, may vote 990
on the day of the election if that registered elector does all 991
of the following: 992

(1) Makes a written application on a form prescribed by 993
the secretary of state that includes all of the information 994
required under section 3509.03 of the Revised Code to the 995
appropriate board for an absent voter's ballot on or after the 996
twenty-seventh day prior to the election in which the registered 997
elector wishes to vote through ~~noon of the Saturday close of~~ 998
business on the seventh day prior to that election and requests 999
that the absent voter's ballot be sent to the address to which 1000
the registered elector has moved if the registered elector has 1001
moved, or to the address of that registered elector who has not 1002
moved but has had a change of name; 1003

(2) Declares that the registered elector has moved or had 1004
a change of name, whichever is appropriate, and otherwise is 1005
qualified to vote under the circumstances described in division 1006
(B) or (C) of this section, whichever is appropriate, but that 1007

the registered elector is unable to appear at the board of 1008
elections because of personal illness, physical disability, or 1009
infirmity; 1010

(3) Completes and returns along with the completed absent 1011
voter's ballot a notice of change of residence indicating the 1012
address to which the registered elector has moved, or a notice 1013
of change of name, whichever is appropriate; 1014

(4) Completes and signs, under penalty of election 1015
falsification, a statement attesting that the registered elector 1016
has moved or had a change of name on or prior to the day before 1017
the election, has voted by absent voter's ballot because of 1018
personal illness, physical disability, or infirmity that 1019
prevented the registered elector from appearing at the board of 1020
elections, and will not vote or attempt to vote at any other 1021
location or by absent voter's ballot mailed to any other 1022
location or address for that particular election. 1023

Sec. 3505.13. (A) A contract for the printing of ballots 1024
involving a cost in excess of twenty-five thousand dollars shall 1025
not be ~~let awarded~~ until after ~~five days'~~ a proposal period of 1026
fifteen days. During the proposal period, a notice shall be 1027
published once in a newspaper of general circulation published 1028
in the county-, may be posted electronically by email or other 1029
electronic means by the board of elections, or upon notice and 1030
may be given by mail by the board of elections, addressed to the 1031
responsible printing offices ~~within the state.~~ 1032

~~Except~~ (B) Except as otherwise provided in this section, 1033
each ~~bid proposal~~ for such printing a contract described in 1034
division (A) of this section must be accompanied by a bid bond 1035
~~with at least two sureties, or a surety company, satisfactory to~~ 1036
~~the board,~~ in a sum double of ten per cent of the amount of the 1037

~~bid, conditioned upon the faithful performance of the contract~~ 1038
~~for such printing as is awarded and for the payment as damages~~ 1039
~~by such bidder to the board of any excess of cost over the bid~~ 1040
~~which it may be obliged to pay for such work by reason of the~~ 1041
~~failure of the bidder to complete the contract~~proposal. No bid 1042
proposal unaccompanied by such bid bond shall be considered by 1043
the board. ~~The board may, however, waive the requirement that~~ 1044
~~each bid be accompanied by a bond if the cost of the contract is~~ 1045
~~twenty-five thousand dollars or less.~~ 1046

~~The~~ (C) The contract shall be let awarded to the lowest 1047
most qualified responsible bidder in the state. ~~All ballots~~ 1048
~~shall be printed within the state~~proposer that meets the minimum 1049
standards established by the secretary of state under division 1050
(D) of this section. The proposer shall post a performance bond 1051
equal to one hundred per cent of a single election's contract 1052
amount. If the contract is for multiple elections, then the 1053
board instead may require the proposer to post a performance 1054
bond of a sum equal to one hundred per cent of the board's 1055
estimated ballot printing costs for the largest election to be 1056
conducted during the contract period. 1057

(D) The secretary of state shall adopt rules establishing 1058
printing, mailing, and security standards for vendors that print 1059
ballots under contracts entered into under this section, in 1060
accordance with Chapter 119. of the Revised Code. 1061

Sec. 3505.14. After the ~~letting~~awarding of the contract 1062
for the printing of the ballots as provided in section 3505.13 1063
of the Revised Code, the board of elections shall secure from 1064
the printer printed proofs of the ballot, and shall notify the 1065
~~chairman~~chairperson of the local executive committee of each 1066
party or group represented on the ballot by candidates or 1067

issues, and post such proofs in a public place in the office of 1068
the board for a period of at least twenty-four hours for 1069
inspection and correction of any errors appearing thereon. The 1070
board shall cause such proofs to be read with care and after 1071
correcting any errors shall return the corrected copy to the 1072
printer. 1073

Sec. 3505.19. (A) A political subdivision or taxing 1074
authority shall only hold a special election on the first 1075
Tuesday after the first Monday in August for an office, 1076
question, or issue if either of the following are met: 1077

(1) The political subdivision is under a fiscal emergency 1078
under section 118.03 of the Revised Code or the taxing authority 1079
that is a school district is under a fiscal emergency under 1080
division (B) of section 3316.03 of the Revised Code at the time 1081
the board of elections certifies the office, question, or issue 1082
for placement on the ballot for that special election. 1083

(2) The political subdivision or taxing authority is 1084
permitted to hold a special election in accordance with section 1085
3521.031 of the Revised Code. 1086

(B) The deadlines applicable to a special election held by 1087
a political subdivision or taxing authority under division (A) 1088
of this section shall be the same as the deadlines specified to 1089
place the office, question, or issue on the ballot on the day of 1090
a primary or general election. 1091

(C) The entire cost of a special election held under 1092
division (A)(1) of this section shall be charged to the 1093
political subdivision or taxing authority in accordance with 1094
division (D) of section 3501.17 of the Revised Code. 1095

Sec. 3506.14. (A) Prior to each election, the board of 1096

elections shall ~~test~~ do both of the following as instructed by 1097
the secretary of state; 1098

(1) Test and audit the variable codes applicable to that 1099
election to verify the accuracy of any computer program that 1100
will be used for tallying the ballot cards for each precinct in 1101
which an election will be held. 1102

~~(B) Prior to the start of the count of the ballots, the~~ 1103
~~board of elections shall have the voting machine or automatic~~ 1104
~~tabulating equipment tested;~~ 1105

(2) Conduct systematic logic and accuracy testing of every 1106
component of every voting machine, marking device, or piece of 1107
automatic tabulating equipment with every ballot style to be 1108
used in the election to ascertain that ~~it~~ the ballots are 1109
accurate and that the machines, devices, and equipment will 1110
accurately record, mark, or count the votes cast for all offices 1111
and on all questions and issues, as applicable. ~~Public notice of~~ 1112
~~the time and place of the test shall be given by proclamation or~~ 1113
~~posting as in the case of notice of elections.~~ The test shall be 1114
conducted by processing a pre-audited group of ballots so marked 1115
as to record a predetermined number of valid votes for each 1116
candidate and on each question and issue, and shall include for 1117
each office one or more ballots that have votes in excess of the 1118
number allowed by law in order to test the ability of the 1119
automatic tabulating equipment to reject those votes. In that 1120
test a different number of valid votes shall be assigned to each 1121
candidate for an office, and for and against each question and 1122
issue. If an error is detected, the cause for the error shall be 1123
ascertained and corrected and an errorless count shall be made 1124
and certified to by the board before the count is started. ~~The~~ 1125

(B) All automatic tabulating equipment to be used in an 1126

election shall pass the same ~~test~~ testing described in division 1127
(A) (2) of this section at the beginning and conclusion of the 1128
election day count before the election returns are approved as 1129
official. ~~On~~ 1130

(C) The board shall give public notice of the time and 1131
place of all testing to be conducted under this section by 1132
proclamation or posting as in the case of notice of elections. 1133
All testing under this section shall be conducted by bipartisan 1134
teams of election officials. 1135

(D) No voting machine, marking device, or piece of 1136
automatic tabulating equipment shall be used in an election in 1137
this state without undergoing successful testing under this 1138
section. 1139

(E) On completion of the election day count, the programs, 1140
test materials, and ballots shall be sealed and retained as 1141
provided for paper ballots in section 3505.31 of the Revised 1142
Code. 1143

Sec. 3506.24. (A) As used in this section: 1144

(1) "Elected official" means an elected officer of the 1145
state, any political subdivision, or the United States, other 1146
than a member of a central committee of a political party. 1147

(2) "Voter registration system" means software and any 1148
related equipment used by a board of elections or the secretary 1149
of state to process, store, organize, maintain, or retrieve 1150
voter registration records. 1151

(B) (1) No voter registration system, voting machine, 1152
marking device, or automatic tabulating equipment shall be used 1153
for the purpose of conducting elections in this state if an 1154
elected official or the spouse of an elected official is a 1155

partner, owner, or member of the person or entity that 1156
manufactured, assembled, or otherwise made the system, machine, 1157
device, or equipment or of the person or entity from which the 1158
system, machine, device, or equipment is acquired. 1159

(2) For purposes of division (B)(1) of this section, an 1160
elected official or the spouse of an elected official is not 1161
considered an owner of a publicly traded person or entity if the 1162
elected official's and the spouse's combined ownership interest 1163
in the person or entity is less than ten per cent. 1164

Sec. 3509.01. (A) The board of elections of each county 1165
shall provide absent voter's ballots for use at every primary 1166
and general election, or special election to be held on the day 1167
specified by division (E) of section 3501.01 of the Revised Code 1168
for the holding of a primary election, designated by the general 1169
assembly for the purpose of submitting constitutional amendments 1170
proposed by the general assembly to the voters of the state. 1171
Those ballots shall be the same size, shall be printed on the 1172
same kind of paper, and shall be in the same form as has been 1173
approved for use at the election for which those ballots are to 1174
be voted; except that, in counties using marking devices, ballot 1175
cards may be used for absent voter's ballots, and those absent 1176
voters shall be instructed to record the vote in the manner 1177
provided on the ballot cards. 1178

(B) The rotation of names of candidates and questions and 1179
issues shall be substantially complied with on absent voter's 1180
ballots, within the limitation of time allotted. Those ballots 1181
shall be designated as "Absent Voter's Ballots." Except as 1182
otherwise provided in division (D) of this section, those 1183
ballots shall be printed and ready for use as follows: 1184

(1) For overseas voters and absent uniformed services 1185

voters eligible to vote under the Uniformed and Overseas 1186
Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 1187
42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed 1188
and ready for use other than in person on the forty-sixth day 1189
before the day of the election. 1190

(2) For all other voters, ~~other than overseas voters and~~ 1191
~~absent uniformed services voters, who are applying to vote~~ 1192
~~absent voter's ballots other than in person,~~ ballots shall be 1193
printed and ready for use on the first day after the close of 1194
voter registration before the election. 1195

~~(3) For all voters who are applying to vote absent voter's~~ 1196
~~ballots in person, ballots shall be printed and ready for use~~ 1197
~~beginning on the first day after the close of voter registration~~ 1198
~~before the election.~~ 1199

~~If, at the time for the close of in person absent voting~~ 1200
~~on a particular day, there are voters waiting in line to cast~~ 1201
~~their ballots, the in person absent voting location shall be~~ 1202
~~kept open until such waiting voters have cast their absent~~ 1203
~~voter's ballots.~~ 1204

(C) Absent voter's ballots provided for use at a general 1205
or primary election, or special election to be held on the day 1206
specified by division (E) of section 3501.01 of the Revised Code 1207
for the holding of a primary election, designated by the general 1208
assembly for the purpose of submitting constitutional amendments 1209
proposed by the general assembly to the voters of the state, 1210
shall include only those questions, issues, and candidacies that 1211
have been lawfully ordered submitted to the electors voting at 1212
that election. 1213

(D) If the laws governing the holding of a special 1214

election on a day other than the day on which a primary or 1215
general election is held make it impossible for absent voter's 1216
ballots to be printed and ready for use by the deadlines 1217
established in division (B) of this section, absent voter's 1218
ballots for those special elections shall be ready for use as 1219
many days before the day of the election as reasonably possible 1220
under the laws governing the holding of that special election. 1221

(E) A copy of the absent voter's ballots shall be 1222
forwarded by the director of the board in each county to the 1223
secretary of state at least twenty-five days before the 1224
election. 1225

Sec. 3509.03. (A) Except as otherwise provided in ~~division~~ 1226
~~(B) of section 3509.08~~ sections 3509.031, 3509.051, 3511.02, and 1227
3511.021 of the Revised Code, any qualified elector desiring to 1228
vote absent voter's ballots at an election shall ~~make~~ deliver a 1229
written application for those ballots, either in person or by 1230
mail, to the ~~director~~ board of elections of the county in which 1231
the elector's voting residence is located. 1232

(B) Except as otherwise ~~provided in~~ permitted under 1233
section 3511.02 of the Revised Code and under division (C) of 1234
this section, the application ~~need not~~ shall be ~~in any~~ 1235
~~particular~~ on a form ~~but~~ prescribed by the secretary of state 1236
and shall contain all of the following: 1237

- (1) The elector's name; 1238
- (2) The elector's signature; 1239
- (3) The address at which the elector is registered to 1240
vote; 1241
- (4) The elector's date of birth; 1242

(5) One of the following:	1243
(a) The elector's driver's license number;	1244
(b) The last four digits of the elector's social security number;	1245 1246
(c) 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.	1247 1248 1249 1250 1251 1252 1253
(6) A statement identifying the election for which absent voter's ballots are requested;	1254 1255
(7) A statement that the person requesting the ballots is a qualified elector;	1256 1257
(8) If the request is for primary election ballots, the elector's party affiliation;	1258 1259
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	1260 1261
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	1262 1263 1264 1265 1266
(D) Each <u>Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application for to receive</u> absent voter's ballots shall be delivered to the director <u>office of the board</u>	1267 1268 1269 1270

or submitted through the online system described in section 1271
3509.031 of the Revised Code, as applicable, not earlier than 1272
the first day of January of the year of the elections for which 1273
the absent voter's ballots are requested or not earlier than 1274
ninety days before the day of the election at which the ballots 1275
are to be voted, whichever is earlier, and not later than ~~twelve-~~ 1276
~~noon of the third close of business on the seventh day before~~ 1277
the day of the election at which the ballots are to be voted, ~~or~~ 1278
~~not later than six p.m. on the last Friday before the day of the~~ 1279
~~election at which the ballots are to be voted if the application-~~ 1280
~~is delivered in person to the office of the board.~~ 1281

(E) ~~A board of elections that mails an absent voter's~~ 1282
~~ballot application to an elector under this section~~ No public 1283
office, and no public official or employee who is acting in an 1284
official capacity, shall not prepay do either of the following: 1285

(1) Prepay the return postage for that an application for 1286
absent voter's ballots; 1287

(2) Mail or otherwise deliver an unsolicited application 1288
for absent voter's ballots to any person, except as provided in 1289
section 3501.05 of the Revised Code. 1290

(F) Except as otherwise provided in this section and in 1291
sections 3505.24 and 3509.08 of the Revised Code, an election 1292
official shall not fill out any portion of an application for 1293
absent voter's ballots on behalf of an applicant. The secretary 1294
of state or a board of elections may preprint only an 1295
applicant's name and address on an application for absent 1296
voter's ballots before mailing that application to the 1297
applicant, except that if the applicant has a confidential voter 1298
registration record, the secretary of state or a board of 1299
elections shall not preprint the applicant's address on the 1300

application. 1301

Sec. 3509.031. (A) (1) The secretary of state shall 1302
establish a secure online system for electors to apply for 1303
absent voter's ballots. The online system shall be available in 1304
addition to the procedures prescribed under section 3511.021 of 1305
the Revised Code to allow a uniformed services or overseas 1306
absent voter or a relative of such an absent voter to apply for 1307
ballots by electronic means. 1308

(2) The online system shall permit an elector to submit 1309
the application not earlier than the first day of January of the 1310
year of the election or not earlier than ninety days before the 1311
day of the election, whichever is earlier, and not later than 1312
the close of business on the seventh day before the day of the 1313
election. 1314

(B) (1) The online application for absent voter's ballots 1315
shall require an elector to provide all of the following: 1316

(a) The elector's name; 1317

(b) (i) Except as otherwise provided under division (B) (1) 1318
(b) (ii) of this section, the address at which the elector is 1319
registered to vote. 1320

(ii) If the elector has a confidential voter registration 1321
record, as described in section 111.44 of the Revised Code, the 1322
elector may provide the elector's program participant 1323
identification number instead of the address at which the 1324
elector is registered to vote. 1325

(c) The elector's date of birth; 1326

(d) The elector's Ohio driver's license or state 1327
identification card number; 1328

(e) The last four digits of the elector's social security number; 1329
1330

(f) An indication of the election for which the absent voter's ballots are requested; 1331
1332

(g) If the request is for primary election ballots, the elector's party affiliation; 1333
1334

(h) The address to which the ballots shall be mailed, if different from the address at which the applicant is registered to vote. 1335
1336
1337

(2) The application shall require the applicant to check a box affirming under penalty of election falsification that the applicant is a qualified elector. 1338
1339
1340

(C) The secretary of state shall transmit each completed application submitted through the online system to the board of elections of the county in which the elector resides. 1341
1342
1343

(D) The secretary of state shall employ security measures necessary to ensure the integrity and accuracy of information submitted electronically pursuant to this section. Errors in processing applications for absent voter's ballots in the online system shall not prevent an elector from receiving absent voter's ballots. 1344
1345
1346
1347
1348
1349

Sec. 3509.04. (A) If a ~~director of a~~ board of elections receives an application for absent voter's ballots that does not contain all of the required information or is not submitted on an appropriate form, the ~~director board~~ promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application, direct the applicant to use an appropriate form, or both, as applicable. 1350
1351
1352
1353
1354
1355
1356
1357

(B) Upon receipt by the ~~director~~board of elections of an 1358
application for absent voter's ballots that contains all of the 1359
required information and is submitted on an appropriate form, as 1360
provided by ~~section~~sections 3509.03 and 3509.031 and division 1361
(G) of section 3503.16 of the Revised Code, the ~~director~~board, 1362
if the ~~director~~board finds that the applicant is a qualified 1363
elector, shall deliver to the applicant in person or mail 1364
directly to the applicant by special delivery mail, air mail, or 1365
regular mail, postage prepaid, proper absent voter's ballots. 1366
The ~~director~~board shall deliver or mail with the ballots an 1367
unsealed identification envelope upon the face of which shall be 1368
printed a form substantially as follows: 1369

"Identification Envelope Statement of Voter 1370

I, _____ (Name of voter), declare under 1371
penalty of election falsification that the within ballot or 1372
ballots contained no voting marks of any kind when I received 1373
them, and I caused the ballot or ballots to be marked, enclosed 1374
in the identification envelope, and sealed in that envelope. 1375

My voting residence in Ohio is 1376

_____ 1377

(Street and Number, if any, or Rural Route and Number) 1378

of _____ (City, Village, or Township) 1379

Ohio, which is in Ward _____ 1380

Precinct _____ in that city, village, or township. 1381

If I have a confidential voter registration record, I am 1382
providing my program participant identification number instead 1383
of my residence address: _____ 1384

The primary election ballots, if any, within this envelope 1385

are primary election ballots of the _____ Party. 1386

Ballots contained within this envelope are to be voted at 1387

the _____ (general, special, or primary) election to be 1388

held on the _____ day of 1389

_____, _____, _____ 1390

My date of birth is _____ (Month and Day), 1391

_____ (Year). 1392

~~(Voter-You~~ must provide one of the following:) 1393

~~My-Your~~ driver's license number ~~is:~~ _____ 1394

~~(Driver's license number).~~ 1395

~~The-If~~ you do not have or cannot provide a driver's 1396

~~license number, the~~ last four digits of ~~my-your~~ Social Security 1397

~~Number-are:~~ _____ ~~(Last four digits of Social Security~~ 1398

~~Number).~~ 1399

~~_____ In lieu of providing a driver's license number or~~ 1400

~~the last four digits of my Social Security Number, I am~~ 1401

~~enclosing a-If~~ you do not have or cannot provide a driver's 1402

~~license number or the last four digits of your Social Security~~ 1403

~~number, a copy of one of the following in the return envelope in~~ 1404

~~which this identification envelope will be mailed:~~ a current and 1405

valid photo identification, a military identification, or a 1406

current utility bill, bank statement, government check, 1407

paycheck, or other government document, other than a notice of 1408

voter registration mailed by a board of elections, that shows ~~my-~~ 1409

~~your~~ name and address. If you provide a copy of one of those 1410

documents, enclose it in the return envelope along with the 1411

identification envelope. 1412

I hereby declare, under penalty of election falsification, 1413

that the statements above are true, as I verily believe. 1414

_____ (Signature of Voter) 1415

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1416
THE FIFTH DEGREE." 1417

The ~~director board~~ shall mail with the ballots and the 1418
unsealed identification envelope an unsealed return envelope 1419
upon the face of which shall be printed the ~~official title and~~ 1420
post-office address of the ~~director board~~. In the upper left 1421
corner on the face of the return envelope, several blank lines 1422
shall be printed upon which the voter may write the voter's name 1423
and return address. The return envelope shall be of such size 1424
that the identification envelope can be conveniently placed 1425
within it for returning the identification envelope to the 1426
~~director board~~. 1427

~~A board of elections that mails or otherwise delivers~~ 1428
~~absent voter's ballots to an elector under this section No~~ 1429
public office, and no public official or employee who is acting 1430
in an official capacity, shall not prepay the return postage for 1431
~~those any absent voter's ballots.~~ 1432

Except as otherwise provided in this section and in 1433
sections 3505.24 and 3509.08 of the Revised Code, an election 1434
official shall not fill out any portion of an identification 1435
envelope statement of voter or an absent voter's ballot on 1436
behalf of an elector. A board of elections may preprint only an 1437
elector's name and address on an identification envelope 1438
statement of voter before mailing absent voter's ballots to the 1439
elector, except that if the elector has a confidential voter 1440
registration record, as described in section 111.44 of the 1441
Revised Code, the board of elections shall not preprint the 1442
elector's address on the identification envelope statement of 1443
voter. 1444

Sec. 3509.05. (A) When an elector receives an absent 1445
voter's ballot pursuant to the elector's application or request, 1446
the elector shall, before placing any marks on the ballot, note 1447
whether there are any voting marks on it. If there are any 1448
voting marks, the ballot shall be returned immediately to the 1449
board of elections; otherwise, the elector shall cause the 1450
ballot to be marked, folded in a manner that the stub on it and 1451
the indorsements and facsimile signatures of the members of the 1452
board of elections on the back of it are visible, and placed and 1453
sealed within the identification envelope received from the 1454
~~director board~~ of elections for that purpose. Then, the elector 1455
shall cause the statement of voter on the outside of the 1456
identification envelope to be completed and signed, under 1457
penalty of election falsification. 1458

(B) If the elector does not provide the elector's driver's 1459
license number or the last four digits of the elector's social 1460
security number on the statement of voter on the identification 1461
envelope, the elector also shall include in the return envelope 1462
with the identification envelope a copy of the elector's current 1463
valid photo identification, a copy of a military identification, 1464
or a copy of a current utility bill, bank statement, government 1465
check, paycheck, or other government document, other than a 1466
notice of voter registration mailed by a board of elections 1467
under section 3503.19 of the Revised Code, that shows the name 1468
and address of the elector. 1469

(C) (1) The elector shall mail the identification envelope 1470
to the ~~director from whom it was received~~ office of the board of 1471
elections in the return envelope, postage prepaid, or the 1472
elector may personally deliver it to the ~~director~~ office of the 1473
board, or the spouse of the elector, the father, mother, father- 1474
in-law, mother-in-law, grandfather, grandmother, brother, or 1475

sister of the whole or half blood, or the son, daughter, 1476
adopting parent, adopted child, stepparent, stepchild, uncle, 1477
aunt, nephew, or niece of the elector may deliver it to the 1478
~~director~~ office of the board. The return envelope shall be 1479
~~transmitted to the director~~ returned by no other person, in no 1480
other manner, and to no other location, except as otherwise 1481
provided in section 3509.08 of the Revised Code. 1482

~~When absent voter's ballots are delivered to an elector at~~ 1483
~~the office of the board, the elector may retire to a voting~~ 1484
~~compartment provided by the board and there mark the ballots.~~ 1485
~~Thereupon, the elector shall fold them, place them in the~~ 1486
~~identification envelope provided, seal the envelope, fill in and~~ 1487
~~sign the statement on the envelope under penalty of election~~ 1488
~~falsification, and deliver the envelope to the director of the~~ 1489
~~board.~~ 1490

(2) If the board maintains multiple offices in the county, 1491
as permitted under division (C) of section 3501.10 of the 1492
Revised Code, the board may designate any of its offices for the 1493
return of absent voter's ballots under this section, provided 1494
that the board shall designate only one office to which absent 1495
voter's ballots shall be returned under this section. 1496

(3) (a) The board of elections may place not more than one 1497
secure receptacle outside the office of the board, on the 1498
property on which the office of the board is located, for the 1499
purpose of receiving absent voter's ballots under this section. 1500

(b) A secure receptacle shall be open to receive ballots 1501
only during the period beginning on the first day after the 1502
close of voter registration before the election and ending at 1503
seven-thirty p.m. on the day of the election. The receptacle 1504
shall be open to receive ballots at all times during that 1505

period. 1506

(c) A secure receptacle shall be monitored by recorded 1507
video surveillance at all times. The video recordings are a 1508
public record, and the board shall make them available for 1509
inspection immediately upon request. 1510

(d) Only a bipartisan team of election officials may open 1511
a secure receptacle or handle its contents. A bipartisan team of 1512
election officials shall collect the contents of each secure 1513
receptacle and deliver them to the board for processing at least 1514
once each day and at seven-thirty p.m. on the day of the 1515
election. If, at seven-thirty p.m. on the day of the election, 1516
there are persons waiting in line to deposit absent voter's 1517
ballots in a receptacle, those persons shall be permitted to 1518
deposit the ballots. 1519

(D) (1) Except as otherwise provided in division ~~(B)~~ (D) (2) 1520
of this section, all ~~other~~ envelopes containing marked absent 1521
voter's ballots shall be delivered to the ~~director~~ office of the 1522
board not later than the close of the polls on the day of an 1523
election. Absent voter's ballots delivered to the ~~director~~ 1524
office of the board later than the times specified shall not be 1525
counted, but shall be kept by the board in the sealed 1526
identification envelopes in which they are delivered ~~to the~~ 1527
~~director~~, until the time provided by section 3505.31 of the 1528
Revised Code for the destruction of all other ballots used at 1529
the election for which ballots were provided, at which time they 1530
shall be destroyed. 1531

~~(B) (1)~~ (2) (a) Except as otherwise provided in division ~~(B)~~ 1532
~~(2)~~ (D) (2) (b) of this section, any return envelope that is 1533
postmarked prior to the day of the election shall be delivered 1534
to the ~~director~~ office of the board prior to the ~~eleventh~~ eighth 1535

day after the election. Ballots delivered in envelopes 1536
postmarked prior to the day of the election that are received 1537
after the close of the polls on election day through the ~~tenth~~ 1538
seventh day thereafter shall be counted on the ~~eleventh~~eighth 1539
day at the board of elections in the manner provided in 1540
divisions (C) and (D) of section 3509.06 of the Revised Code or 1541
in the manner provided in division (E) of that section, as 1542
applicable. Any such ballots that are received ~~by~~at the 1543
~~director office of the board~~ later than the ~~tenth~~seventh day 1544
following the election shall not be counted, but shall be kept 1545
by the board in the sealed identification envelopes as provided 1546
in division (A) of this section. 1547

~~(2)~~(b) Division ~~(B)(1)~~(D)(2)(a) of this section shall 1548
not apply to any mail that is postmarked using a postage 1549
evidencing system, including a postage meter, as defined in 39 1550
C.F.R. 501.1. 1551

Sec. 3509.051. An elector may appear at the office of the 1552
board of elections to cast absent voter's ballots in person 1553
instead of applying for those ballots under section 3509.03 or 1554
3509.031 of the Revised Code. Notwithstanding section 3509.05 or 1555
any other provision of the Revised Code to the contrary, all of 1556
the following shall apply to the casting of absent voter's 1557
ballots in person: 1558

~~(A)~~ The (A)(1) Except as otherwise provided in division 1559
(A) of this section, in-person absent voting shall be permitted 1560
only during the period beginning on the first day after the 1561
close of voter registration before the election and ending at 1562
five p.m. on the Sunday before the day of the election, as 1563
follows: 1564

(a) For a presidential general election, in-person absent 1565

voting shall be available only in accordance with the following 1566
schedule: 1567

(i) During the period beginning on the day after the close 1568
of voter registration before the election and ending at the end 1569
of the third calendar week before the week of the election, 1570
Monday through Friday between eight a.m. and five p.m.; 1571

(ii) During the second calendar week before the calendar 1572
week of the election, Monday through Friday, between eight a.m. 1573
and six p.m.; Saturday, between eight a.m. and four p.m.; and 1574
Sunday, between one p.m. and five p.m.; 1575

(iii) During the calendar week before the calendar week of 1576
the election, Monday, between seven a.m. and eight p.m.; Tuesday 1577
through Friday, between seven-thirty a.m. and seven-thirty p.m.; 1578
Saturday, between eight a.m. and four p.m.; and Sunday, between 1579
one p.m. and five p.m. 1580

(b) For a presidential primary election or a gubernatorial 1581
general election, in-person absent voting shall be available 1582
only in accordance with the following schedule: 1583

(i) During the period beginning on the day after the close 1584
of voter registration before the election and ending at the end 1585
of the third calendar week before the week of the election, 1586
Monday through Friday, between eight a.m. and five p.m.; 1587

(ii) During the second calendar week before the calendar 1588
week of the election, Monday through Friday, between eight a.m. 1589
and five p.m., and Saturday, between eight a.m. and four p.m.; 1590

(iii) During the calendar week before the calendar week of 1591
the election, Monday, between seven a.m. and eight p.m.; Tuesday 1592
through Friday, between seven-thirty a.m. and seven-thirty p.m.; 1593
Saturday, between eight a.m. and four p.m.; and Sunday, between 1594

one p.m. and five p.m. 1595

(c) For all other elections, in-person absent voting shall 1596
be available only in accordance with the following schedule: 1597

(i) During the period beginning on the day after the close 1598
of voter registration before the election and ending at the end 1599
of the second calendar week before the week of the election, 1600
Monday through Friday, between eight a.m. and five p.m.; 1601

(ii) During the calendar week before the calendar week of 1602
the election, Monday, between seven a.m. and eight p.m.; Tuesday 1603
through Friday, between seven-thirty a.m. and seven-thirty p.m.; 1604
Saturday, between eight a.m. and four p.m.; and Sunday, between 1605
one p.m. and five p.m. 1606

(2) For purposes of this section, a calendar week begins 1607
on Monday and ends on Sunday. 1608

(3) In-person absent voting shall not be permitted on a 1609
legal holiday, as defined in section 1.14 of the Revised Code. 1610

(4) If, at the time for the close of in-person absent 1611
voting on a particular day, there are voters waiting in line to 1612
cast their ballots, the in-person absent voting location shall 1613
be kept open until such waiting voters have cast their absent 1614
voter's ballots. 1615

(B) An in-person absent voter shall provide identification 1616
to the election officials in the same manner as accordance with 1617
one of the following: 1618

(1) As a voter who casts a ballot in person on the day of 1619
an election is required to provide The voter shall provide a 1620
current and valid photo identification, a military 1621
identification, or a copy of a current utility bill, bank 1622

statement, government check, paycheck, or other government 1623
document, other than a notice of voter registration mailed by a 1624
board of elections under section ~~3505.18~~3503.19 of the Revised 1625
Code; ~~or~~ that shows the name and current address of the voter. 1626

~~(2) As a voter who casts an absent voter's ballot is~~ 1627
~~required to submit a completed written application for an absent~~ 1628
~~voter's ballot under section 3509.03 of the Revised Code. The~~ 1629
voter shall provide the voter's driver's license number or the 1630
last four digits of the voter's social security number. The 1631
election officials shall verify that the number or digits the 1632
voter provides are not different from the number or digits in 1633
the voter's registration record. 1634

~~(B)~~(C) The absent voter shall not be required to complete 1635
a written application for absent voter's ballots or a statement 1636
of voter on an absent voter's ballot identification envelope. 1637

~~(C)~~(D) The board of elections shall provide a signature 1638
book to be signed by absent voters who are casting their ballots 1639
in person. 1640

~~(D)~~(E) No person other than an election official shall be 1641
permitted to challenge the right to vote of an absent voter who 1642
is casting a ballot in person. An election official may 1643
challenge the right to vote of an absent voter who is casting a 1644
ballot in person in the same manner as a precinct election 1645
official may challenge the right to vote of an elector on the 1646
day of an election under section 3505.20 or 3513.19 of the 1647
Revised Code. 1648

~~(E)~~(F) No absent voter may receive a replacement ballot 1649
after the voter's absent voter's ballot has been scanned or 1650
entered into automatic tabulating equipment. 1651

Sec. 3509.06. (A) The board of elections shall determine 1652
whether absent voter's ballots shall be processed and counted in 1653
each precinct, at the office of the board, or at some other 1654
location designated by the board, and shall proceed accordingly 1655
under division (B), (C), or (E) of this section, as applicable. 1656

(B) (1) Except as otherwise provided in division (B) (2) of 1657
this section, when the board of elections determines that absent 1658
voter's ballots shall be processed and counted in each precinct, 1659
the ~~director-board~~ shall deliver to the voting location manager 1660
of each precinct on election day identification envelopes 1661
purporting to contain absent voter's ballots of electors whose 1662
voting residence appears from the statement of voter on the 1663
outside of each of those envelopes, to be located in that 1664
manager's precinct, and which were received by the ~~director-~~ 1665
~~board~~ not later than the close of the polls on election day. The 1666
~~director-board~~ shall deliver to the voting location manager a 1667
list containing the name and voting residence of each person 1668
whose voting residence is in such precinct to whom absent 1669
voter's ballots were mailed. 1670

(2) The ~~director-board~~ shall not deliver to the voting 1671
location manager identification envelopes cast by electors who 1672
provided a program participant identification number instead of 1673
a residence address on the identification envelope and shall not 1674
inform the voting location manager of the names and voting 1675
residences of persons who have confidential voter registration 1676
records. Those identification envelopes shall be examined and 1677
processed as described in division (E) of this section. 1678

(C) When the board of elections determines that absent 1679
voter's ballots shall be processed and counted at the office of 1680
the board of elections or at another location designated by the 1681

board, special election officials shall be appointed by the 1682
board for that purpose having the same authority as is exercised 1683
by precinct election officials. The votes so cast shall be added 1684
to the vote totals by the board, and the absent voter's ballots 1685
shall be preserved separately by the board, in the same manner 1686
and for the same length of time as provided by section 3505.31 1687
of the Revised Code. 1688

(D) Each of the identification envelopes purporting to 1689
contain absent voter's ballots delivered to the voting location 1690
manager of the precinct or the special election official 1691
appointed by the board of elections shall be handled as follows: 1692

(1) The election officials shall compare the signature of 1693
the elector on the outside of the identification envelope with 1694
the signature of that elector on the elector's registration form 1695
and verify that the absent voter's ballot is eligible to be 1696
counted under section 3509.07 of the Revised Code. 1697

(2) (a) Any of the precinct officials may challenge the 1698
right of the elector named on the identification envelope to 1699
vote the absent voter's ballots upon the ground that the 1700
signature on the envelope is not the same as the signature on 1701
the registration form, that the identification envelope 1702
statement of voter is incomplete, or upon any other of the 1703
grounds upon which the right of persons to vote may be lawfully 1704
challenged. 1705

(b) If the elector's name does not appear in the pollbook 1706
or poll list or signature pollbook, the precinct officials shall 1707
deliver the absent voter's ballots to the director of the board 1708
of elections to be examined and processed in the manner 1709
described in division (E) of this section. 1710

(3) (a) An identification envelope statement of voter shall 1711
be considered incomplete if it does not include all of the 1712
following: 1713

(i) The voter's name; 1714

(ii) The voter's residence address or, if the voter has a 1715
confidential voter registration record, as described in section 1716
111.44 of the Revised Code, the voter's program participant 1717
identification number; 1718

(iii) The voter's date of birth. The requirements of this 1719
division are satisfied if the voter provided a date of birth and 1720
any of the following is true: 1721

(I) The month and day of the voter's date of birth on the 1722
identification envelope statement of voter are not different 1723
from the month and day of the voter's date of birth contained in 1724
the statewide voter registration database. 1725

(II) The voter's date of birth contained in the statewide 1726
voter registration database is January 1, 1800. 1727

(III) The board of elections has found, by a vote of at 1728
least three of its members, that the voter has met the 1729
requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of 1730
this section. 1731

(iv) The voter's signature; and 1732

(v) One of the following forms of identification: 1733

(I) The voter's driver's license number; 1734

(II) The last four digits of the voter's social security 1735
number; or 1736

(III) A copy of a current and valid photo identification, 1737

a military identification, or a current utility bill, bank 1738
statement, government check, paycheck, or other government 1739
document, other than a notice of voter registration mailed by a 1740
board of elections, that shows the voter's name and address. 1741

(b) If the election officials find that the identification 1742
envelope statement of voter is incomplete or that the 1743
information contained in that statement does not conform to the 1744
information contained in the statewide voter registration 1745
database concerning the voter, the election officials shall mail 1746
a written notice to the voter, informing the voter of the nature 1747
of the defect. The notice shall inform the voter that in order 1748
for the voter's ballot to be counted, the voter must provide the 1749
necessary information to the board of elections in writing and 1750
on a form prescribed by the secretary of state not later than 1751
the seventh day after the day of the election. The voter may 1752
deliver the form to the office of the board in person or by 1753
mail. If the voter provides the necessary information to the 1754
board of elections not later than the seventh day after the day 1755
of the election and the ballot is not successfully challenged on 1756
another basis, the voter's ballot shall be processed and counted 1757
in accordance with this section. 1758

(4) If no such challenge is made, or if such a challenge 1759
is made and not sustained, the voting location manager shall 1760
open the envelope without defacing the statement of voter and 1761
without mutilating the ballots in it, and shall remove the 1762
ballots contained in it and proceed to count them. 1763

(5) (a) Except as otherwise provided in division (D) (5) (b) 1764
of this section, the name of each person voting who is entitled 1765
to vote only an absent voter's presidential ballot shall be 1766
entered in a pollbook or poll list or signature pollbook 1767

followed by the words "Absentee Presidential Ballot." The name 1768
of each person voting an absent voter's ballot, other than such 1769
persons entitled to vote only a presidential ballot, shall be 1770
entered in the pollbook or poll list or signature pollbook and 1771
the person's registration card marked to indicate that the 1772
person has voted. 1773

(b) If the person voting has a confidential voter 1774
registration record, the person's registration card shall be 1775
marked to indicate that the person has voted, but the person's 1776
name shall not be entered in the pollbook or poll list or 1777
signature pollbook. 1778

(6) The date of such election shall also be entered on the 1779
elector's registration form. If any such challenge is made and 1780
sustained, the identification envelope of such elector shall not 1781
be opened, shall be endorsed "Not Counted" with the reasons the 1782
ballots were not counted, and shall be delivered to the board. 1783

(E) (1) When the board of elections receives absent voter's 1784
ballots from an elector who has provided a program participant 1785
identification number instead of a residence address on the 1786
identification envelope statement of voter, the director and the 1787
deputy director personally shall examine and process the 1788
identification envelope statement of voter in the manner 1789
prescribed in division (D) of this section. 1790

(2) If the director and the deputy director find that the 1791
identification envelope statement of voter is incomplete or that 1792
the information contained in that statement does not conform to 1793
the information contained in the statewide voter registration 1794
database concerning the voter or to the information contained in 1795
the voter's confidential voter registration record, the director 1796
and the deputy director shall mail a written notice to the voter 1797

informing the voter of the nature of the defect. The notice 1798
shall inform the voter that in order for the voter's ballot to 1799
be counted the voter must provide the necessary information to 1800
the board of elections in writing and on a form prescribed by 1801
the secretary of state not later than the seventh day after the 1802
day of the election. The voter may deliver the form to the 1803
office of the board in person or by mail. If the voter provides 1804
the necessary information to the board of elections not later 1805
than the seventh day after the day of the election and the 1806
ballot is not successfully challenged on another basis, the 1807
voter's ballot shall be counted in accordance with this section. 1808

(3) The director or the deputy director may challenge the 1809
ballot on the ground that the signature on the envelope is not 1810
the same as the signature on the registration form, that the 1811
identification envelope statement of voter is incomplete, or 1812
upon any other of the grounds upon which the right of persons to 1813
vote may be lawfully challenged. If such a challenge is made, 1814
the board of elections shall decide whether to sustain the 1815
challenge. 1816

(4) If neither the director nor the deputy director 1817
challenges the ballot, or if such a challenge is made and not 1818
sustained, the director and the deputy director shall open the 1819
envelope without defacing the statement of voter and without 1820
mutilating the ballots in it, shall remove the ballots contained 1821
in it, and shall transmit the ballots to the election officials 1822
to be counted with other absent voter's ballots from that 1823
precinct. 1824

(F) The board of elections ~~may~~ shall process absent 1825
voter's ballots before the time for counting those ballots, but 1826
the board shall not tabulate or count the votes on those ballots 1827

before that time. As used in this section and section 3511.11 of 1828
the Revised Code, processing an absent voter's ballot means ~~any~~ 1829
all of the following: 1830

(1) Examining the identification envelope statement of 1831
voter in order to verify that the absent voter's ballot is 1832
eligible to be counted under section 3509.07 of the Revised 1833
Code; 1834

(2) Opening the identification envelope, if the absent 1835
voter's ballot is eligible to be counted; 1836

(3) Determining the validity of the absent voter's ballot 1837
under section 3509.07 of the Revised Code; 1838

(4) Preparing and sorting the absent voter's ballot for 1839
scanning by automatic tabulating equipment; 1840

(5) Scanning the absent voter's ballot by automatic 1841
tabulating equipment, if the equipment used by the board of 1842
elections permits an absent voter's ballot to be scanned without 1843
tabulating or counting the votes on the ballots scanned. 1844

(G) Special election officials, employees or members of 1845
the board of elections, or observers shall not disclose the 1846
count or any portion of the count of absent voter's ballots 1847
prior to the time of the closing of the polling places. No 1848
person shall recklessly disclose the count or any portion of the 1849
count of absent voter's ballots in such a manner as to 1850
jeopardize the secrecy of any individual ballot. 1851

(H) (1) Except as otherwise provided in division (H) (2) of 1852
this section, observers may be appointed under section 3505.21 1853
of the Revised Code to witness the examination and opening of 1854
identification envelopes and the processing and counting of 1855
absent voters' ballots under this section. 1856

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

Sec. 3509.08. (A) Any qualified elector, who, on account of the elector's own personal illness, physical disability, or infirmity, or on account of the elector's confinement in a jail or workhouse under sentence for a misdemeanor or awaiting trial on a felony or misdemeanor, will be unable to travel from the elector's home or place of confinement to the voting booth in the elector's precinct on the day of any general, special, or primary election may make application in writing for an absent voter's ballot to ~~the director of the~~ board of elections of the elector's county in the manner described in section 3509.03 of the Revised Code. The application ~~shall include all of the information required under section 3509.03 of the Revised Code and~~ shall state the nature of the elector's illness, physical disability, or infirmity, or the fact that the elector is confined in a jail or workhouse and the elector's resultant inability to travel to the election booth in the elector's precinct on election day. ~~The application shall not be valid if it is delivered to the director before the ninetieth day or after twelve noon of the third day before the day of the election at which the ballot is to be voted.~~

The absent voter's ballot may be mailed directly to the applicant at the applicant's voting residence or place of confinement as stated in the applicant's application, or the board may designate two board employees belonging to the two major political parties for the purpose of delivering the ballot

to the disabled or confined elector and returning it to the 1888
board, unless the applicant is confined to a public or private 1889
institution within the county, in which case the board shall 1890
designate two board employees belonging to the two major 1891
political parties for the purpose of delivering the ballot to 1892
the disabled or confined elector and returning it to the board. 1893
In all other instances, the ballot shall be returned to the 1894
office of the board in the manner prescribed in section 3509.05 1895
of the Revised Code. 1896

Any disabled or confined elector who declares to the two 1897
board employees belonging to the two major political parties 1898
that the elector is unable to mark the elector's ballot by 1899
reason of physical infirmity that is apparent to the employees 1900
to be sufficient to incapacitate the voter from marking the 1901
elector's ballot properly, may receive, upon request, the 1902
assistance of the employees in marking the elector's ballot, and 1903
they shall thereafter give no information in regard to this 1904
matter. Such assistance shall not be rendered for any other 1905
cause. 1906

When two board employees belonging to the two major 1907
political parties deliver a ballot to a disabled or confined 1908
elector, each of the employees shall be present when the ballot 1909
is delivered, when assistance is given, and when the ballot is 1910
returned to the office of the board, and shall subscribe to the 1911
declaration on the identification envelope. 1912

The secretary of state shall prescribe the form of 1913
application for absent voter's ballots under this division. 1914

This chapter applies to disabled and confined absent 1915
voter's ballots except as otherwise provided in this section. 1916

(B) (1) Any qualified elector who is unable to travel to 1917
the voting booth in the elector's precinct on the day of any 1918
general, special, or primary election may apply to ~~the director~~ 1919
~~of~~ the board of elections of the county where the elector is a 1920
qualified elector to vote in the election by absent voter's 1921
ballot if either of the following apply: 1922

(a) The elector is confined in a hospital as a result of 1923
an accident or unforeseeable medical emergency occurring before 1924
the election; 1925

(b) The elector's minor child is confined in a hospital as 1926
a result of an accident or unforeseeable medical emergency 1927
occurring before the election. 1928

(2) The application authorized under division (B) (1) of 1929
this section shall be made in writing, ~~shall include all of the~~ 1930
~~information required under~~ in the manner described in section 1931
3509.03 of the Revised Code, ~~and except that the application~~ 1932
shall be delivered to the director office of the board not later 1933
than three p.m. on the day of the election. The application 1934
shall indicate the hospital where the applicant or the 1935
applicant's child is confined, the date of the applicant's or 1936
the applicant's child's admission to the hospital, and the 1937
offices for which the applicant is qualified to vote. The 1938
applicant may also request that a member of the applicant's 1939
family, as listed in section 3509.05 of the Revised Code, 1940
deliver the absent voter's ballot to the applicant. ~~The director~~ 1941
board, after establishing to the director's board's satisfaction 1942
the validity of the circumstances claimed by the applicant, 1943
shall supply an absent voter's ballot to be delivered to the 1944
applicant. When the applicant or the applicant's child is in a 1945
hospital in the county where the applicant is a qualified 1946

elector and no request is made for a member of the family to 1947
deliver the ballot, the ~~director-board~~ shall arrange for the 1948
delivery of an absent voter's ballot to the applicant, and for 1949
its return to the office of the board, by two board employees 1950
belonging to the two major political parties according to the 1951
procedures prescribed in division (A) of this section. When the 1952
applicant or the applicant's child is in a hospital outside the 1953
county where the applicant is a qualified elector and no request 1954
is made for a member of the family to deliver the ballot, the 1955
~~director-board~~ shall arrange for the delivery of an absent 1956
voter's ballot to the applicant by mail, and the ballot shall be 1957
returned to the office of the board in the manner prescribed in 1958
section 3509.05 of the Revised Code. 1959

(3) Any qualified elector who is eligible to vote under 1960
division (B) or (C) of section 3503.16 of the Revised Code but 1961
is unable to do so because of the circumstances described in 1962
division (B)(2) of this section may vote in accordance with 1963
division (B)(1) of this section if that qualified elector states 1964
in the application for absent voter's ballots that that 1965
qualified elector moved or had a change of name under the 1966
circumstances described in division (B) or (C) of section 1967
3503.16 of the Revised Code and if that qualified elector 1968
complies with divisions (G)(1) to (4) of section 3503.16 of the 1969
Revised Code. 1970

(C) Any qualified elector described in division (A) or (B) 1971
(1) of this section who needs no assistance to vote or to return 1972
absent voter's ballots to the board of elections may apply for 1973
absent voter's ballots under section 3509.03 or 3509.051 of the 1974
Revised Code instead of applying for them under this section. 1975

Sec. 3509.09. (A) The poll list or signature pollbook for 1976

each precinct shall identify each registered elector in that 1977
precinct who has requested an absent voter's ballot for that 1978
election, other than an elector who has a confidential voter 1979
registration record, as described in section 111.44 of the 1980
Revised Code. 1981

(B) (1) If a registered elector appears to vote in that 1982
precinct and that elector has requested an absent voter's ballot 1983
for that election but the ~~director~~board of elections has not 1984
received a sealed identification envelope purporting to contain 1985
that elector's voted absent voter's ballots for that election, 1986
the elector shall be permitted to cast a provisional ballot 1987
under section 3505.181 of the Revised Code in that precinct on 1988
the day of that election. 1989

(2) If a registered elector appears to vote in that 1990
precinct and that elector has requested an absent voter's ballot 1991
for that election and the ~~director~~board has received a sealed 1992
identification envelope purporting to contain that elector's 1993
voted absent voter's ballots for that election, the elector 1994
shall be permitted to cast a provisional ballot under section 1995
3505.181 of the Revised Code in that precinct on the day of that 1996
election. 1997

(C) (1) In counting absent voter's ballots under section 1998
3509.06 of the Revised Code, the board of elections shall 1999
compare the signature of each elector from whom the ~~director~~ 2000
board has received a sealed identification envelope purporting 2001
to contain that elector's voted absent voter's ballots for that 2002
election to the signature on that elector's registration form. 2003
Except as otherwise provided in division (C) (3) of this section, 2004
if the board of elections determines that the absent voter's 2005
ballot in the sealed identification envelope is valid, it shall 2006

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

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

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

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

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

(D) If the board of elections counts a provisional ballot

under division (C) (2) or (3) of this section, the returned 2036
identification envelope of that elector shall not be opened, and 2037
the ballot within that envelope shall not be counted. The 2038
identification envelope shall be endorsed "Not Counted" with the 2039
reason the ballot was not counted. 2040

Sec. 3511.02. (A) Notwithstanding any section of the 2041
Revised Code to the contrary, whenever any person applies for 2042
registration as a voter on a form adopted in accordance with 2043
federal regulations relating to the "Uniformed and Overseas 2044
Citizens Absentee Voting Act," 100 Stat. 924, ~~42-52~~ U.S.C.A. 2045
~~1973ff (1986)~~ 20301, this application shall be sufficient for 2046
voter registration and as a request for an absent voter's 2047
ballot. Uniformed services or overseas absent voter's ballots 2048
may be obtained by any person meeting the requirements of 2049
section 3511.011 of the Revised Code by applying electronically 2050
to the secretary of state or to the board of elections of the 2051
county in which the person's voting residence is located in 2052
accordance with section 3511.021 of the Revised Code or by 2053
applying to the ~~director of the~~ board of elections of the county 2054
in which the person's voting residence is located, in one of the 2055
following ways: 2056

(1) That person may make written application for those 2057
ballots. The person may personally deliver the application to 2058
the ~~director~~ office of the board or may mail it, send it by 2059
facsimile machine, send it by electronic mail, send it through 2060
internet delivery if such delivery is offered by the board of 2061
elections or the secretary of state, or otherwise send it to the 2062
~~director~~ board. Except as otherwise provided in division (B) of 2063
this section, the application ~~need not be in any particular~~ 2064
shall be on a form but prescribed by the secretary of state and 2065
shall contain all of the following information: 2066

(a) The elector's name;	2067
(b) The elector's signature;	2068
(c) The address at which the elector is registered to vote;	2069 2070
(d) The elector's date of birth;	2071
(e) One of the following:	2072
(i) The elector's driver's license number;	2073
(ii) The last four digits of the elector's social security number;	2074 2075
(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.	2076 2077 2078 2079 2080 2081 2082
(f) A statement identifying the election for which absent voter's ballots are requested;	2083 2084
(g) A statement that the person requesting the ballots is a qualified elector;	2085 2086
(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in <u>42-52 U.S.C.</u> <u>1973ff-6 20310</u> ;	2087 2088 2089
(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	2090 2091 2092 2093

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;

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

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

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

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

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

ballots for each election. 2123

(3) Application to have uniformed services or overseas 2124
absent voter's ballots mailed or sent by facsimile machine to 2125
such a person may be made by the spouse, father, mother, father- 2126
in-law, mother-in-law, grandfather, grandmother, brother or 2127
sister of the whole blood or half blood, son, daughter, adopting 2128
parent, adopted child, stepparent, stepchild, daughter-in-law, 2129
son-in-law, uncle, aunt, nephew, or niece of such a person. The 2130
application shall be in writing upon a blank form furnished only 2131
by the ~~director board~~ or on a single federal post card as 2132
provided in division (A) (2) of this section. The form of the 2133
application shall be prescribed by the secretary of state. The 2134
~~director board~~ shall furnish that blank form to any of the 2135
relatives specified in this division desiring to make the 2136
application, only upon the request of such a relative made in 2137
person at the office of the board or upon the written request of 2138
such a relative mailed to the office of the board. Except as 2139
otherwise provided in division (B) of this section, the 2140
application, subscribed and sworn to by the applicant, shall 2141
contain all of the following: 2142

(a) The full name of the elector for whom ballots are 2143
requested; 2144

(b) A statement that the elector is an absent uniformed 2145
services voter or overseas voter as defined in ~~42-52~~ U.S.C. 2146
~~1973ff-6~~ 20310; 2147

(c) The address at which the elector is registered to 2148
vote; 2149

(d) A statement identifying the elector's length of 2150
residence in the state immediately preceding the commencement of 2151

service, immediately preceding the date of leaving to be with or 2152
near a service member, or immediately preceding leaving the 2153
United States, or a statement that the elector's parent or legal 2154
guardian resided in this state long enough to establish 2155
residency for voting purposes immediately preceding leaving the 2156
United States, as the case may be; 2157

(e) The elector's date of birth; 2158

(f) One of the following: 2159

(i) The elector's driver's license number; 2160

(ii) The last four digits of the elector's social security 2161
number; 2162

(iii) A copy of the elector's current and valid photo 2163
identification, a copy of a military identification, or a copy 2164
of a current utility bill, bank statement, government check, 2165
paycheck, or other government document, other than a notice of 2166
voter registration mailed by a board of elections under section 2167
3503.19 of the Revised Code, that shows the name and address of 2168
the elector. 2169

(g) A statement identifying the election for which absent 2170
voter's ballots are requested; 2171

(h) A statement that the person requesting the ballots is 2172
a qualified elector; 2173

(i) If the request is for primary election ballots, the 2174
elector's party affiliation; 2175

(j) A statement that the applicant bears a relationship to 2176
the elector as specified in division (A)(3) of this section; 2177

(k) The address to which ballots shall be mailed, the 2178

telephone number to which ballots shall be sent by facsimile 2179
machine, the electronic mail address to which ballots shall be 2180
sent by electronic mail, or, if internet delivery is offered by 2181
the board of elections or the secretary of state, the internet 2182
contact information to which ballots shall be sent through 2183
internet delivery; 2184

(1) The signature and address of the person making the 2185
application. 2186

(B) If the elector has a confidential voter registration 2187
record, as described in section 111.44 of the Revised Code, the 2188
application may include the elector's program participant 2189
identification number instead of the address at which the 2190
elector is registered to vote. 2191

(C) Each application for uniformed services or overseas 2192
absent voter's ballots shall be delivered to the ~~director office~~ 2193
of the board not earlier than the first day of January of the 2194
year of the elections for which the uniformed services or 2195
overseas absent voter's ballots are requested or not earlier 2196
than ninety days before the day of the election at which the 2197
ballots are to be voted, whichever is earlier, ~~and. An~~ 2198
application to receive uniformed services or overseas absent 2199
voter's ballots by mail or by another method permitted under 2200
section 3511.021 of the Revised Code shall be delivered to the 2201
office of the board not later than twelve noon of the third 2202
close of business on the seventh day preceding the day of the 2203
election, ~~or not later than six p.m. on the last Friday before~~ 2204
~~the day of the election at which those ballots are to be voted~~ 2205
~~if the application is delivered in person to the office of the~~ 2206
~~board.~~ 2207

(D) If the voter for whom the application is made is 2208

entitled to vote for presidential and vice-presidential electors 2209
only, the applicant shall submit to the ~~director~~ board in 2210
addition to the requirements of division (A) of this section, a 2211
statement to the effect that the voter is qualified to vote for 2212
presidential and vice-presidential electors and for no other 2213
offices. 2214

~~(E) A board of elections that mails a federal post card~~ 2215
~~application or other absent voter's ballot application to an~~ 2216
~~elector under this section~~ No public office, and no public 2217
official or employee who is acting in an official capacity, 2218
shall ~~not prepay~~ do either of the following: 2219

(1) Prepay the return postage for that an application for 2220
absent voter's ballots; 2221

(2) Mail or otherwise deliver an unsolicited application 2222
for absent voter's ballots to any person, except as provided in 2223
section 3501.05 of the Revised Code. 2224

(F) Except as otherwise provided in this section and in 2225
sections 3505.24 and 3509.08 of the Revised Code, an election 2226
official shall not fill out any portion of a federal post card 2227
application or other application for absent voter's ballots on 2228
behalf of an applicant. The secretary of state or a board of 2229
elections may preprint only an applicant's name and address on a 2230
federal post card application or other application for absent 2231
voter's ballots before mailing that application to the 2232
applicant, except that if the applicant has a confidential voter 2233
registration record, the secretary of state or the board of 2234
elections shall not preprint the applicant's address on the 2235
application. 2236

Sec. 3511.04. (A) If a ~~director of a~~ board of elections 2237

receives an application for uniformed services or overseas 2238
absent voter's ballots that does not contain all of the required 2239
information or is not submitted on an appropriate form, the 2240
~~director board~~ promptly shall notify the applicant of the 2241
additional information required to be provided by the applicant 2242
to complete that application, direct the applicant to use an 2243
appropriate form, or both, as applicable. 2244

(B) Not later than the forty-sixth day before the day of 2245
each general or primary election, and at the earliest possible 2246
time before the day of a special election held on a day other 2247
than the day on which a general or primary election is held, the 2248
~~director of the~~ board of elections shall mail, send by facsimile 2249
machine, send by electronic mail, send through internet delivery 2250
if such delivery is offered by the board of elections or the 2251
secretary of state, or otherwise send uniformed services or 2252
overseas absent voter's ballots then ready for use as provided 2253
for in section 3511.03 of the Revised Code and for which the 2254
~~director board~~ has received valid applications prior to that 2255
time. Thereafter, and until ~~twelve noon of the third~~ close of 2256
business on the seventh day preceding the day of election, the 2257
~~director board~~ shall promptly, upon receipt of valid 2258
applications for them, mail, send by facsimile machine, send by 2259
electronic mail, send through internet delivery if such delivery 2260
is offered by the board of elections or the secretary of state, 2261
or otherwise send to the proper persons all uniformed services 2262
or overseas absent voter's ballots then ready for use. 2263

If, after the seventieth day before the day of a general 2264
or primary election, any other question, issue, or candidacy is 2265
lawfully ordered submitted to the electors voting at the general 2266
or primary election, the board shall promptly provide a separate 2267
official issue, special election, or other election ballot for 2268

submitting the question, issue, or candidacy to those electors, 2269
and the ~~director-board~~ shall promptly mail, send by facsimile 2270
machine, send by electronic mail, send through internet delivery 2271
if such delivery is offered by the board of elections or the 2272
secretary of state, or otherwise send each such separate ballot 2273
to each person to whom the ~~director-board~~ has previously mailed 2274
or sent other uniformed services or overseas absent voter's 2275
ballots. 2276

~~A board of elections that mails or otherwise delivers~~ 2277
~~uniformed services or overseas absent voter's ballots to an~~ 2278
~~elector under this section~~ No public office, and no public 2279
official or employee who is acting in an official capacity, 2280
shall ~~not~~ prepay the return postage for ~~those~~ any absent voter's 2281
ballots. In mailing uniformed services or overseas absent 2282
voter's ballots, the ~~director-board~~ shall use the fastest mail 2283
service available, but the ~~director-board~~ shall not mail them by 2284
certified mail. 2285

Sec. 3511.05. (A) The ~~director of the~~ board of elections 2286
shall place uniformed services or overseas absent voter's 2287
ballots sent by mail in an unsealed identification envelope, 2288
gummed ready for sealing. The ~~director-board~~ shall include with 2289
uniformed services or overseas absent voter's ballots sent 2290
electronically, including by facsimile machine, an instruction 2291
sheet for preparing a gummed envelope in which the ballots shall 2292
be returned. The envelope for returning ballots sent by either 2293
means shall have printed or written on its face a form 2294
substantially as follows: 2295

"Identification Envelope Statement of Voter 2296

I, _____ (Name of voter), declare under 2297
penalty of election falsification that the within ballot or 2298

ballots contained no voting marks of any kind when I received 2299
them, and I caused the ballot or ballots to be marked, enclosed 2300
in the identification envelope, and sealed in that envelope. 2301

My voting residence in Ohio is 2302

_____ 2303

(Street and Number, if any, or Rural Route and Number) 2304

of _____ (City, Village, or Township) 2305

Ohio, which is in Ward _____ Precinct _____ 2306

in that city, village, or township. 2307

If I have a confidential voter registration record, I am 2308

providing my program participant identification number instead 2309

of my residence address: _____ 2310

The primary election ballots, if any, within this envelope 2311

are primary election ballots of the _____ Party. 2312

Ballots contained within this envelope are to be voted at 2313

the _____ (general, special, or primary) election to be 2314

held on the _____ day of 2315

_____, _____. 2316

My date of birth is _____ (Month and Day), 2317

_____ (Year). 2318

~~(Voter~~ You must provide one of the following:) 2319

~~My~~ Your driver's license number is: _____ 2320

~~(Driver's license number).~~ 2321

~~The~~ If you do not have or cannot provide a driver's 2322

license number, the last four digits of my your Social Security 2323

Number are: _____ ~~(Last four digits of Social Security~~ 2324

~~Number).~~ 2325

_____ ~~In lieu of providing a driver's license number or~~ 2326
~~the last four digits of my Social Security Number, I am~~ 2327
~~enclosing a~~ If you do not have or cannot provide a driver's 2328
license number or the last four digits of your Social Security 2329
number, a copy of one of the following in the return envelope in 2330
~~which this identification envelope will be mailed:~~ a current and 2331
valid photo identification, a military identification, or a 2332
current utility bill, bank statement, government check, 2333
paycheck, or other government document, other than a notice of 2334
voter registration mailed by a board of elections, that shows ~~my~~ 2335
your name and address. If you provide a copy of one of those 2336
documents, enclose it in the return envelope along with the 2337
identification envelope. 2338

I hereby declare, under penalty of election falsification, 2339
that the statements above are true, as I verily believe. 2340

(Signature of Voter) 2341
2342

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2343
THE FIFTH DEGREE." 2344

(B) The ~~director-board~~ shall also mail with the ballots 2345
and the unsealed identification envelope sent by mail an 2346
unsealed return envelope, gummed, ready for sealing, for use by 2347
the voter in returning the voter's marked ballots to the 2348
~~director office of the board.~~ The ~~director-board~~ shall send with 2349
the ballots and the instruction sheet for preparing a gummed 2350
envelope sent electronically, including by facsimile machine, an 2351
instruction sheet for preparing a second gummed envelope as 2352
described in this division, for use by the voter in returning 2353
that voter's marked ballots to the ~~director board.~~ The return 2354

envelope shall have two parallel lines, each one quarter of an 2355
inch in width, printed across its face paralleling the top, with 2356
an intervening space of one quarter of an inch between such 2357
lines. The top line shall be one and one-quarter inches from the 2358
top of the envelope. Between the parallel lines shall be 2359
printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 2360
ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank lines shall 2361
be printed in the upper left corner on the face of the envelope 2362
for the use by the voter in placing the voter's complete 2363
military, naval, or mailing address on these lines, and beneath 2364
these lines there shall be printed a box beside the words "check 2365
if out-of-country." The voter shall check this box if the voter 2366
will be outside the United States on the day of the election. 2367
The ~~official title and the post-office address of the director~~ 2368
~~to whom the envelope shall be returned~~ office of the board shall 2369
be printed on the face of such envelope in the lower right 2370
portion below the bottom parallel line. 2371

(C) On the back of each identification envelope and each 2372
return envelope shall be printed the following: 2373

"Instructions to voter: 2374

If the flap on this envelope is so firmly stuck to the 2375
back of the envelope when received by you as to require forcible 2376
opening in order to use it, open the envelope in the manner 2377
least injurious to it, and, after marking your ballots and 2378
enclosing same in the envelope for mailing them to the ~~director~~ 2379
~~of the board of elections~~, reclose the envelope in the most 2380
practicable way, by sealing or otherwise, and sign the blank 2381
form printed below. 2382

The flap on this envelope was firmly stuck to the back of 2383
the envelope when received, and required forced opening before 2384

sealing and mailing. 2385

_____ 2386

(Signature of voter)" 2387

(D) Division (C) of this section does not apply when 2388
absent voter's ballots are sent electronically, including by 2389
facsimile machine. 2390

(E) Except as otherwise provided in this division and in 2391
sections 3505.24 and 3509.08 of the Revised Code, an election 2392
official shall not fill out any portion of an identification 2393
envelope statement of voter or an absent voter's ballot on 2394
behalf of an elector. A board of elections may preprint only an 2395
elector's name and address on an identification envelope 2396
statement of voter before mailing or electronically transmitting 2397
absent voter's ballots to the elector, except that if the 2398
elector has a confidential voter registration record, as 2399
described in section 111.44 of the Revised Code, the board of 2400
elections shall not preprint the elector's address on the 2401
identification envelope statement of voter. 2402

Sec. 3511.06. The return envelope provided for in section 2403
3511.05 of the Revised Code shall be of such size that the 2404
identification envelope can be conveniently placed within it for 2405
returning the identification envelope to the ~~director~~ office of 2406
the board of elections. The envelope in which the two envelopes 2407
and the uniformed services or overseas absent voter's ballots 2408
are mailed to the elector shall have two parallel lines, each 2409
one quarter of an inch in width, printed across its face, 2410
paralleling the top, with an intervening space of one-quarter of 2411
an inch between such lines. The top line shall be one and one- 2412
quarter inches from the top of the envelope. Between the 2413

parallel lines shall be printed: "official uniformed services or 2414
overseas absent voter's balloting material--via air mail." The 2415
appropriate return address of the ~~director of the~~ board of 2416
elections shall be printed in the upper left corner on the face 2417
of such envelope. Several blank lines shall be printed on the 2418
face of such envelope in the lower right portion, below the 2419
bottom parallel line, for writing in the name and address of the 2420
elector to whom such envelope is mailed. 2421

Sec. 3511.07. When mailing unsealed identification 2422
envelopes and unsealed return envelopes to persons, the ~~director~~ 2423
~~of the~~ board of elections shall insert a sheet of waxed paper or 2424
other appropriate insert between the gummed flap and the back of 2425
each of such envelopes to minimize the possibility that the flap 2426
may become firmly stuck to the back of the envelope by reason of 2427
moisture, humid atmosphere, or other conditions to which they 2428
may be subjected. If the flap on either of such envelopes should 2429
be so firmly stuck to the back of the envelope when it is 2430
received by the voter as to require forcible opening of the 2431
envelope in order to use it, the voter shall open such envelope 2432
in the manner least injurious to it, and, after marking ~~his~~ the 2433
voter's ballots and enclosing them in the envelope for mailing 2434
to the ~~director~~board, ~~he~~ the voter shall reclose such envelope 2435
in the most practicable way, by sealing it or otherwise, and 2436
shall sign the blank form printed on the back of such envelope. 2437

Sec. 3511.08. The ~~director of the~~ board of elections shall 2438
keep a record of the name and address of each person to whom the 2439
~~director~~board mails or delivers uniformed services or overseas 2440
absent voter's ballots, the kinds of ballots so mailed or 2441
delivered, and the name and address of the person who made the 2442
application for such ballots. After the ~~director~~board has 2443
mailed or delivered such ballots the ~~director~~board shall not 2444

mail or deliver additional ballots of the same kind to such 2445
person pursuant to a subsequent request unless such subsequent 2446
request contains the statement that an earlier request had been 2447
sent to the ~~director~~board prior to the thirtieth day before the 2448
election and that the uniformed services or overseas absent 2449
voter's ballots so requested had not been received by such 2450
person prior to the fifteenth day before the election, and 2451
provided that the ~~director~~board has not received an 2452
identification envelope purporting to contain marked uniformed 2453
services or overseas absent voter's ballots from such person. 2454

Sec. 3511.09. (A) Upon receiving uniformed services or 2455
overseas absent voter's ballots, the elector shall cause the 2456
questions on the face of the identification envelope to be 2457
answered, and, by writing the elector's usual signature in the 2458
proper place on the identification envelope, the elector shall 2459
declare under penalty of election falsification that the answers 2460
to those questions are true and correct to the best of the 2461
elector's knowledge and belief. Then, the elector shall note 2462
whether there are any voting marks on the ballot. If there are 2463
any voting marks, the ballot shall be returned immediately to 2464
the board of elections; otherwise, the elector shall cause the 2465
ballot to be marked, folded separately so as to conceal the 2466
markings on it, deposited in the identification envelope, and 2467
securely sealed in the identification envelope. The elector then 2468
shall cause the identification envelope to be placed within the 2469
return envelope, sealed in the return envelope, and mailed to 2470
~~the director of~~ the board of elections to ~~whom~~which it is 2471
addressed. The ballot shall be submitted for mailing not later 2472
than 12:01 a.m. at the place where the voter completes the 2473
ballot, on the date of the election. ~~If~~ 2474

(B) If the elector does not provide the elector's driver's 2475

license or state identification card number or the last four 2476
digits of the elector's social security number on the statement 2477
of voter on the identification envelope, the elector also shall 2478
include in the return envelope with the identification envelope 2479
a copy of the elector's current valid photo identification, a 2480
copy of a military identification, or a copy of a current 2481
utility bill, bank statement, government check, paycheck, or 2482
other government document, other than a notice of voter 2483
registration mailed by a board of elections under section 2484
3503.19 of the Revised Code, that shows the name and address of 2485
the elector. ~~Each~~ 2486

(C) Each elector who will be outside the United States on 2487
the day of the election shall check the box on the return 2488
envelope indicating this fact and shall mail the return envelope 2489
to the ~~director board~~ prior to the close of the polls on 2490
election day. 2491

(D) Every uniformed services or overseas absent voter's 2492
ballot identification envelope shall be accompanied by the 2493
following statement in boldface capital letters: WHOEVER COMMITS 2494
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH 2495
DEGREE. 2496

(E) The elector shall cause the uniformed services or 2497
overseas absent voter's ballots to be returned to the office of 2498
the board of elections in a manner described in division (C) of 2499
section 3509.05 of the Revised Code, provided that the elector 2500
shall not be required to prepay the postage on the return 2501
envelope if, under 39 U.S.C. 3406, no postage is required. 2502

Sec. 3511.10. ~~If, after the first day after the close of~~ 2503
~~voter registration before a general or primary election and~~ 2504
~~before the close of the polls on the day of that election, a~~ 2505

~~valid application for A uniformed services or overseas absent voter's ballots is delivered to the director of the board of elections voter may cast absent voter's ballots in person at the office of the board ~~by a person making the application on the person's own behalf, the director shall forthwith deliver to the person all uniformed services or overseas absent voter's ballots then ready for use, together with an identification envelope of elections under section 3509.051 of the Revised Code. The person shall then immediately retire to a voting booth in the office of the board, and mark the ballots. The person shall then fold each ballot separately so as to conceal the person's markings thereon, and deposit all of the ballots in the identification envelope and securely seal it. Thereupon the person shall fill in answers to the questions on the face of the identification envelope, and by writing the person's usual signature in the proper place thereon, the person shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of that person's knowledge and belief. The person shall then deliver the identification envelope to the director. If thereafter, and before the third close of business on the seventh 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 close of business on the third seventh 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 finds ballots in it that are not enclosed in and properly sealed in the identification envelope, the director 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 finds that ballots are enclosed in the identification envelope but that it is not properly sealed, the director 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)~~ (B) A return envelope is not required to be postmarked in order for a uniformed services or overseas absent voter's ballot contained in it to be valid. Except as otherwise provided

in this division, whether or not the return envelope containing 2568
the ballot is postmarked, contains a late postmark, or contains 2569
an illegible postmark, a uniformed services or overseas absent 2570
voter's ballot that is received after the close of the polls on 2571
election day through the ~~tenth~~seventh day after the election 2572
day shall be processed and counted on the ~~eleventh~~eighth day 2573
after the election day at the office of the board of elections 2574
in the manner provided in section 3509.06 of the Revised Code if 2575
the voter signed the identification envelope by the time 2576
specified in section 3511.09 of the Revised Code. However, if a 2577
return envelope containing a uniformed services or overseas 2578
absent voter's ballot is so received and so indicates, but the 2579
identification envelope in it is signed after the close of the 2580
polls on election day, the uniformed services or overseas absent 2581
voter's ballot shall not be counted. 2582

~~(D)~~(C) The following types of uniformed services or 2583
overseas absent voter's ballots shall not be counted: 2584

(1) Uniformed services or overseas absent voter's ballots 2585
contained in return envelopes that bear the designation 2586
"Official Election Uniformed Services or Overseas Absent Voter's 2587
Ballots," that are received by the ~~director~~board of elections 2588
after the close of the polls on the day of the election, and 2589
that contain an identification envelope that is signed after the 2590
time specified in section 3511.09 of the Revised Code; 2591

(2) Uniformed services or overseas absent voter's ballots 2592
contained in return envelopes that bear that designation and 2593
that are received after the ~~tenth~~seventh day following the 2594
election. 2595

The uncounted ballots shall be preserved in their 2596
identification envelopes unopened until the time provided by 2597

section 3505.31 of the Revised Code for the destruction of all 2598
other ballots used at the election for which ballots were 2599
provided, at which time they shall be destroyed. 2600

Sec. 3511.13. (A) The poll list or signature pollbook for 2601
each precinct shall identify each registered elector in that 2602
precinct who has requested a uniformed services or overseas 2603
absent voter's ballot for that election. 2604

(B) (1) If a registered elector appears to vote in that 2605
precinct and that elector has requested a uniformed services or 2606
overseas absent voter's ballot for that election but the 2607
~~director~~ board of elections has not received a sealed 2608
identification envelope purporting to contain that elector's 2609
voted uniformed services or overseas absent voter's ballots for 2610
that election, the elector shall be permitted to cast a 2611
provisional ballot under section 3505.181 of the Revised Code in 2612
that precinct on the day of that election. 2613

(2) If a registered elector appears to vote in that 2614
precinct and that elector has requested a uniformed services or 2615
overseas absent voter's ballot for that election and the 2616
~~director~~ board has received a sealed identification envelope 2617
purporting to contain that elector's voted uniformed services or 2618
overseas absent voter's ballots for that election, the elector 2619
shall be permitted to cast a provisional ballot under section 2620
3505.181 of the Revised Code in that precinct on the day of that 2621
election. 2622

(C) (1) In counting uniformed services or overseas absent 2623
voter's ballots under section 3511.11 of the Revised Code, the 2624
board of elections shall compare the signature of each elector 2625
from whom the ~~director~~ board has received a sealed 2626
identification envelope purporting to contain that elector's 2627

voted uniformed services or overseas absent voter's ballots for 2628
that election to the signature on the elector's registration 2629
form. Except as otherwise provided in division (C) (3) of this 2630
section, if the board of elections determines that the uniformed 2631
services or overseas absent voter's ballot in the sealed 2632
identification envelope is valid, it shall be counted. If the 2633
board of elections determines that the signature on the sealed 2634
identification envelope purporting to contain the elector's 2635
voted uniformed services or overseas absent voter's ballot does 2636
not match the signature on the elector's registration form, the 2637
ballot shall be set aside and the board shall examine, during 2638
the time prior to the beginning of the official canvass, the 2639
poll list or signature pollbook from the precinct in which the 2640
elector is registered to vote to determine if the elector also 2641
cast a provisional ballot under section 3505.181 of the Revised 2642
Code in that precinct on the day of the election. 2643

(2) The board of elections shall count the provisional 2644
ballot, instead of the uniformed services or overseas absent 2645
voter's ballot, of an elector from whom the ~~director~~ board has 2646
received an identification envelope purporting to contain that 2647
elector's voted uniformed services or overseas absent voter's 2648
ballots, if both of the following apply: 2649

(a) The board of elections determines that the signature 2650
of the elector on the outside of the identification envelope in 2651
which the uniformed services or overseas absent voter's ballots 2652
are enclosed does not match the signature of the elector on the 2653
elector's registration form; 2654

(b) The elector cast a provisional ballot in the precinct 2655
on the day of the election. 2656

(3) If the board of elections does not receive the sealed 2657

identification envelope purporting to contain the elector's 2658
voted uniformed services or overseas absent voter's ballot by 2659
the applicable deadline established under section 3511.11 of the 2660
Revised Code, the provisional ballot cast under section 3505.181 2661
of the Revised Code in that precinct on the day of the election 2662
shall be counted as valid, if that provisional ballot is 2663
otherwise determined to be valid pursuant to section 3505.183 of 2664
the Revised Code. 2665

(D) If the board of elections counts a provisional ballot 2666
under division (C) (2) or (3) of this section, the returned 2667
identification envelope of that elector shall not be opened, and 2668
the ballot within that envelope shall not be counted. The 2669
identification envelope shall be endorsed "Not Counted" with the 2670
reason the ballot was not counted. 2671

Sec. 3513.301. (A) Notwithstanding section 3513.30 of the 2672
Revised Code and except as otherwise provided in division (B) (2) 2673
of this section, if only one person has filed a valid 2674
declaration of candidacy for nomination as the candidate of a 2675
political party for the office of representative to congress and 2676
that person withdraws as a candidate or dies at any time before 2677
the primary election, a special election shall be held under 2678
division (B) (1) of this section as soon as reasonably 2679
practicable to nominate the following: 2680

(1) That party's candidate for congress; 2681

(2) The candidate for congress of any other major 2682
political party under either of the following circumstances: 2683

(a) No person has filed a valid declaration of candidacy 2684
for nomination as that party's candidate at the primary 2685
election. 2686

(b) Only one person has filed a valid declaration of candidacy for nomination as that party's candidate at the primary election, that person has withdrawn or died, and the vacancy so created has not been filled.

(B) (1) Except as otherwise provided in division (B) (2) of this section, the boards of elections of all the counties contained in whole or in part within the congressional district for which a special election is being held under this section shall conduct the special election on a date designated by the secretary of state and give notice of the time and places of holding the election as provided in section 3501.03 of the Revised Code. The election shall be held and conducted and returns of it made as in the case of a primary election, except that the secretary of state shall designate the deadline to file a declaration of candidacy or a declaration of intent to be a write-in candidate for the election.

(2) If, for each nomination to be made at the special election to be held under division (B) (1) of this section, only one person has filed a valid declaration of candidacy or no person has filed a valid declaration of candidacy, then no special election shall be held. If no special election is held, then for each nomination for which only one person has filed a valid declaration of candidacy, the secretary of state, upon receiving certification of that fact from the board of elections of the most populous county of the congressional district, shall issue a certificate of nomination to the person and the person's name shall appear on the ballot as that party's candidate at the general election.

(C) The Except as otherwise provided in section 3521.031 of the Revised Code, the state shall pay all costs of any

special election held under this section. 2717

Sec. 3513.312. (A) Notwithstanding section 3513.31 of the 2718
Revised Code, if a person nominated in a primary election or 2719
nominated by petition under section 3517.012 of the Revised Code 2720
as a party candidate for the office of representative to 2721
congress for election at the next general election withdraws as 2722
such candidate prior to the ninetieth day before the day of such 2723
general election, or dies prior to the ninetieth day before the 2724
day of such general election, the vacancy in the party 2725
nomination so created shall be filled in accordance with 2726
division (B) of this section as soon as reasonably practicable. 2727

(B) (1) Except as otherwise provided in division (B) (2) of 2728
this section, the boards of elections of all the counties 2729
contained in whole or in part within the congressional district 2730
in which a vacancy occurs as described in division (A) of this 2731
section shall conduct the special election on a date designated 2732
by the secretary of state and give notice of the time and places 2733
of holding such election as provided in section 3501.03 of the 2734
Revised Code. Such election shall be held and conducted and 2735
returns thereof made as in the case of a primary election, 2736
except that the secretary of state shall designate the deadline 2737
to file a declaration of candidacy or a declaration of intent to 2738
be a write-in candidate for the election. 2739

(2) If only one person has filed a valid declaration of 2740
candidacy for the special election to be held under division (B) 2741
(1) of this section, or if no person has filed a valid 2742
declaration of candidacy, then no special election shall be 2743
held. If one person has filed a valid declaration of candidacy, 2744
the secretary of state, upon receiving certification of that 2745
fact from the board of elections of the most populous county of 2746

the congressional district, shall issue a certificate of 2747
nomination to the person and the person's name shall appear on 2748
the ballot as that party's candidate at the general election. 2749

(C) ~~The Except as otherwise provided in section 3521.031~~ 2750
~~of the Revised Code, the~~ state shall pay all costs of any 2751
special election held pursuant to this section. 2752

Sec. 3521.03. When a vacancy in the office of 2753
representative to congress occurs, the governor, upon 2754
satisfactory information thereof, shall issue a writ of election 2755
directing that a special election be held to fill such vacancy 2756
in the territory entitled to fill it on a day specified in the 2757
writ. Such writ shall be directed to the board of elections 2758
within such territory which shall give notice of the time and 2759
places of holding such election as provided in section 3501.03 2760
of the Revised Code. Such election shall be held and conducted 2761
and returns thereof made as in case of a regular state election. 2762
~~The Except as otherwise provided in section 3521.031 of the~~ 2763
~~Revised Code, the~~ state shall pay all costs of any special 2764
election held under this section. 2765

Sec. 3521.031. (A) If a special election is held under 2766
section 3513.301, 3513.312, or 3521.03 of the Revised Code on 2767
the first Tuesday after the first Monday in August, a political 2768
subdivision or taxing authority, the territory of which is 2769
located entirely within the applicable congressional district, 2770
may also hold a special election on that day for an office, 2771
question, or issue, so long as the applicable deadlines 2772
described in division (B) of this section are met. This section 2773
does not apply to an office, question, or issue that the Revised 2774
Code does not allow to be placed on the ballot by a political 2775
subdivision or taxing authority at a special election held on 2776

the first Tuesday after the first Monday in August. 2777

(B) The deadlines applicable to a special election held by 2778
a political subdivision or taxing authority under division (A) 2779
of this section shall be the same as the deadlines specified to 2780
place the office, question, or issue on the ballot on the day of 2781
a primary or general election. 2782

(C) If one or more political subdivisions or taxing 2783
authorities place an office, question, or issue on the ballot 2784
under division (A) of this section, the entire cost of the 2785
special election shall be divided proportionally between the 2786
state and each political subdivision or taxing authority based 2787
upon a ratio determined by the number of offices, questions, or 2788
issues placed on the ballot in each precinct by the state and 2789
each political subdivision or taxing authority. 2790

Sec. 3599.21. (A) No person shall knowingly do any of the 2791
following: 2792

(1) Impersonate another, or make a false representation in 2793
order to obtain an absent voter's ballot; 2794

(2) Aid or abet a person to vote an absent voter's ballot 2795
illegally; 2796

(3) If the person is an election official, open, destroy, 2797
steal, mark, or mutilate any absent voter's ballot; 2798

(4) Aid or abet another person to open, destroy, steal, 2799
mark, or mutilate any absent voter's ballot after the ballot has 2800
been voted; 2801

(5) Delay the delivery of any absent voter's ballot with a 2802
view to preventing its arrival in time to be counted; 2803

(6) Hinder or attempt to hinder the delivery or counting 2804

of such absent voter's ballot; 2805

(7) Fail to forward to the appropriate election official 2806
an absent voter's ballot application entrusted to that person to 2807
so forward; 2808

(8) Fail to forward to the appropriate election official 2809
an absent voter's ballot application entrusted to that person to 2810
so forward within ten days after that application is completed 2811
or within such a time period that the failure to so forward the 2812
application disenfranchises the voter with respect to a 2813
particular election, whichever is earlier; 2814

(9) Return the absent voter's ballot of another to the 2815
office of a board of elections, unless either of the following 2816
apply: 2817

(a) The person is a relative who is authorized to do so 2818
under division (C) (1) of section 3509.05 of the Revised Code; 2819

(b) The person is acting as an employee or contractor of 2820
the United States postal service or a private carrier. 2821

(10) Except as authorized under Chapters 3509. and 3511. 2822
of the Revised Code, possess the absent voter's ballot of 2823
another. 2824

(B) (1) Subject to division (B) (2) of this section, no 2825
person who receives compensation for soliciting persons to apply 2826
to vote by absent voter's ballots shall fail to forward to the 2827
appropriate election official an absent voter's ballot 2828
application entrusted to that person to so forward within ten 2829
days after that application is completed. 2830

(2) No person who receives compensation for soliciting 2831
persons to apply to vote by absent voter's ballots shall fail to 2832

forward to the appropriate election official an absent voter's 2833
ballot application entrusted to that person to so forward within 2834
such a time period that the failure to so forward the 2835
application disenfranchises the voter with respect to a 2836
particular election. 2837

(C) Whoever violates division (A) or (B) of this section 2838
is guilty of a felony of the fourth degree. 2839

(D) As used in this section, "person who receives 2840
compensation for soliciting persons to apply to vote by absent 2841
voter's ballots" includes any effort, for compensation, to 2842
provide absent voter's ballot applications or to assist persons 2843
in completing those applications or returning them to the 2844
director of the board of elections of the county in which the 2845
applicant's voting residence is located. 2846

Sec. 4506.11. (A) Every commercial driver's license shall 2847
be marked "commercial driver's license" or "CDL" and shall be of 2848
such material and so designed as to prevent its reproduction or 2849
alteration without ready detection. The commercial driver's 2850
license for licensees under twenty-one years of age shall have 2851
characteristics prescribed by the registrar of motor vehicles 2852
distinguishing it from that issued to a licensee who is twenty- 2853
one years of age or older. Every commercial driver's license 2854
shall display all of the following information: 2855

(1) The name and residence address of the licensee; 2856

(2) A color photograph of the licensee showing the 2857
licensee's uncovered face; 2858

(3) A physical description of the licensee, including sex, 2859
height, weight, and color of eyes and hair; 2860

(4) The licensee's date of birth; 2861

- (5) The licensee's social security number if the person 2862
has requested that the number be displayed in accordance with 2863
section 4501.31 of the Revised Code or if federal law requires 2864
the social security number to be displayed and any number or 2865
other identifier the director of public safety considers 2866
appropriate and establishes by rules adopted under Chapter 119. 2867
of the Revised Code and in compliance with federal law; 2868
- (6) The licensee's signature; 2869
- (7) The classes of commercial motor vehicles the licensee 2870
is authorized to drive and any endorsements or restrictions 2871
relating to the licensee's driving of those vehicles; 2872
- (8) The name of this state; 2873
- (9) The dates of issuance and of expiration of the 2874
license; 2875
- (10) If the licensee has certified willingness to make an 2876
anatomical gift under section 2108.05 of the Revised Code, any 2877
symbol chosen by the registrar of motor vehicles to indicate 2878
that the licensee has certified that willingness; 2879
- (11) If the licensee has executed a durable power of 2880
attorney for health care or a declaration governing the use or 2881
continuation, or the withholding or withdrawal, of life- 2882
sustaining treatment and has specified that the licensee wishes 2883
the license to indicate that the licensee has executed either 2884
type of instrument, any symbol chosen by the registrar to 2885
indicate that the licensee has executed either type of 2886
instrument; 2887
- (12) On and after October 7, 2009, if the licensee has 2888
specified that the licensee wishes the license to indicate that 2889
the licensee is a veteran, active duty, or reservist of the 2890

armed forces of the United States and has presented a copy of 2891
the licensee's DD-214 form or an equivalent document, any symbol 2892
chosen by the registrar to indicate that the licensee is a 2893
veteran, active duty, or reservist of the armed forces of the 2894
United States; 2895

(13) If the licensee is a noncitizen of the United States, 2896
a notation designating that the licensee is a noncitizen; 2897

(14) Any other information the registrar considers 2898
advisable and requires by rule. 2899

(B) The registrar may establish and maintain a file of 2900
negatives of photographs taken for the purposes of this section. 2901

(C) Neither the registrar nor any deputy registrar shall 2902
issue a commercial driver's license to anyone under twenty-one 2903
years of age that does not have the characteristics prescribed 2904
by the registrar distinguishing it from the commercial driver's 2905
license issued to persons who are twenty-one years of age or 2906
older. 2907

(D) Whoever violates division (C) of this section is 2908
guilty of a minor misdemeanor. 2909

Sec. 4507.13. (A) (1) The registrar of motor vehicles shall 2910
issue a driver's license to every person licensed as an operator 2911
of motor vehicles other than commercial motor vehicles. No 2912
person licensed as a commercial motor vehicle driver under 2913
Chapter 4506. of the Revised Code need procure a driver's 2914
license, but no person shall drive any commercial motor vehicle 2915
unless licensed as a commercial motor vehicle driver. 2916

(2) Every driver's license shall display all of the 2917
following information: 2918

(a) The distinguishing number assigned to the licensee.	2919
(b) The licensee's name and date of birth;	2920
(c) The licensee's residence address and county of residence;	2921 2922
(d) A color photograph of the licensee;	2923
(e) A brief description of the licensee for the purpose of identification;	2924 2925
(f) A facsimile of the signature of the licensee as it appears on the application for the license;	2926 2927
(g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D) (3) of section 4507.08 of the Revised Code to which the licensee is subject;	2928 2929 2930
(h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;	2931 2932 2933 2934 2935 2936 2937 2938
(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;	2939 2940 2941 2942 2943 2944 2945
(j) <u>If the licensee is a noncitizen of the United States,</u>	2946

a notation designating that the licensee is a noncitizen; 2947

(k) Any additional information that the registrar requires 2948
by rule. 2949

(3) No license shall display the licensee's social 2950
security number unless the licensee specifically requests that 2951
the licensee's social security number be displayed on the 2952
license. If federal law requires the licensee's social security 2953
number to be displayed on the license, the social security 2954
number shall be displayed on the license notwithstanding this 2955
section. 2956

(4) The driver's license for licensees under twenty-one 2957
years of age shall have characteristics prescribed by the 2958
registrar distinguishing it from that issued to a licensee who 2959
is twenty-one years of age or older, except that a driver's 2960
license issued to a person who applies no more than thirty days 2961
before the applicant's twenty-first birthday shall have the 2962
characteristics of a license issued to a person who is twenty- 2963
one years of age or older. 2964

(5) The driver's license issued to a temporary resident 2965
shall contain the word "nonrenewable" and shall have any 2966
additional characteristics prescribed by the registrar 2967
distinguishing it from a license issued to a resident. 2968

(6) Every driver's or commercial driver's license 2969
displaying a motorcycle operator's endorsement and every 2970
restricted license to operate a motor vehicle also shall display 2971
the designation "novice," if the endorsement or license is 2972
issued to a person who is eighteen years of age or older and 2973
previously has not been licensed to operate a motorcycle by this 2974
state or another jurisdiction recognized by this state. The 2975

"novice" designation shall be effective for one year after the 2976
date of issuance of the motorcycle operator's endorsement or 2977
license. 2978

(7) Each license issued under this section shall be of 2979
such material and so designed as to prevent its reproduction or 2980
alteration without ready detection. 2981

(B) Except in regard to a driver's license issued to a 2982
person who applies no more than thirty days before the 2983
applicant's twenty-first birthday, neither the registrar nor any 2984
deputy registrar shall issue a driver's license to anyone under 2985
twenty-one years of age that does not have the characteristics 2986
prescribed by the registrar distinguishing it from the driver's 2987
license issued to persons who are twenty-one years of age or 2988
older. 2989

(C) Whoever violates division (B) of this section is 2990
guilty of a minor misdemeanor. 2991

Sec. 4507.233. (A) Notwithstanding sections 4506.08, 2992
4507.23, 4507.24, 4507.50, and 4507.52 of the Revised Code, a 2993
person may apply for and obtain a replacement commercial 2994
driver's license, driver's license, or identification card 2995
without paying any fee, if all of the following apply: 2996

(1) The license or card is valid and its expiration date 2997
is not within ninety days of the date for renewal. 2998

(2) The license or card indicates the licensee or 2999
cardholder was a noncitizen. 3000

(3) At the time of application, the applicant is a United 3001
States citizen. 3002

(B) The applicant shall include any documentary evidence 3003

of United States citizenship with an application made under 3004
division (A) of this section as the registrar of motor vehicles 3005
may require by rule. 3006

(C) A replacement commercial driver's license, driver's 3007
license, or identification card issued under this section shall 3008
be identical to the license or card replaced, except that it 3009
shall no longer indicate that the licensee or cardholder is a 3010
noncitizen. 3011

(D) The registrar shall adopt rules in accordance with 3012
Chapter 119. of the Revised Code for purposes of implementing 3013
and administering this section. 3014

Sec. 4507.51. (A) (1) Every application for an 3015
identification card or duplicate shall be made on a form 3016
furnished or in a manner specified by the registrar of motor 3017
vehicles, shall be signed by the applicant, and by the 3018
applicant's parent or guardian if the applicant is under 3019
eighteen years of age, and shall contain the following 3020
information pertaining to the applicant: name, date of birth, 3021
sex, general description including the applicant's height, 3022
weight, hair color, and eye color, address, country of 3023
citizenship, and social security number. The application also 3024
shall include, for an applicant who has not already certified 3025
the applicant's willingness to make an anatomical gift under 3026
section 2108.05 of the Revised Code, whether the applicant 3027
wishes to certify willingness to make such an anatomical gift 3028
and shall include information about the requirements of sections 3029
2108.01 to 2108.29 of the Revised Code that apply to persons who 3030
are less than eighteen years of age. The statement regarding 3031
willingness to make such a donation shall be given no 3032
consideration in the decision of whether to issue an 3033

identification card. Each applicant applying in person at a 3034
deputy registrar office shall be photographed in color at the 3035
time of making application. 3036

(2) (a) The application also shall state whether the 3037
applicant has executed a valid durable power of attorney for 3038
health care pursuant to sections 1337.11 to 1337.17 of the 3039
Revised Code or has executed a declaration governing the use or 3040
continuation, or the withholding or withdrawal, of life- 3041
sustaining treatment pursuant to sections 2133.01 to 2133.15 of 3042
the Revised Code and, if the applicant has executed either type 3043
of instrument, whether the applicant wishes the identification 3044
card issued to indicate that the applicant has executed the 3045
instrument. 3046

(b) The application also shall state whether the applicant 3047
is a veteran, active duty, or reservist of the armed forces of 3048
the United States and, if the applicant is such, whether the 3049
applicant wishes the identification card issued to indicate that 3050
the applicant is a veteran, active duty, or reservist of the 3051
armed forces of the United States by a military designation on 3052
the identification card. 3053

(3) The registrar or deputy registrar, in accordance with 3054
section 3503.11 of the Revised Code, shall register as an 3055
elector any person who applies for an identification card or 3056
duplicate if the applicant is eligible and wishes to be 3057
registered as an elector. The decision of an applicant whether 3058
to register as an elector shall be given no consideration in the 3059
decision of whether to issue the applicant an identification 3060
card or duplicate. 3061

(B) Except as provided in section 4507.061 of the Revised 3062
Code, the application for an identification card or duplicate 3063

shall be filed in the office of the registrar or deputy 3064
registrar. Each applicant shall present documentary evidence as 3065
required by the registrar of the applicant's age and identity, 3066
and the applicant shall swear that all information given is 3067
true. An identification card issued by the department of 3068
rehabilitation and correction under section 5120.59 of the 3069
Revised Code or an identification card issued by the department 3070
of youth services under section 5139.511 of the Revised Code 3071
shall be sufficient documentary evidence under this division 3072
upon verification of the applicant's social security number by 3073
the registrar or a deputy registrar. Upon issuing an 3074
identification card under this section for a person who has been 3075
issued an identification card under section 5120.59 or section 3076
5139.511 of the Revised Code, the registrar or deputy registrar 3077
shall destroy the identification card issued under section 3078
5120.59 or section 5139.511 of the Revised Code. 3079

All applications for an identification card or duplicate 3080
under this section shall be filed in duplicate, and if submitted 3081
to a deputy registrar, a copy shall be forwarded to the 3082
registrar. The registrar shall prescribe rules for the manner in 3083
which a deputy registrar is to file and maintain applications 3084
and other records. The registrar shall maintain a suitable, 3085
indexed record of all applications denied and cards issued or 3086
canceled. 3087

(C) In addition to any other information it contains, the 3088
form furnished by the registrar of motor vehicles for an 3089
application for an identification card or duplicate shall inform 3090
applicants that the applicant must present a copy of the 3091
applicant's DD-214 or an equivalent document in order to qualify 3092
to have the card or duplicate indicate that the applicant is an 3093
honorably discharged veteran of the armed forces of the United 3094

States based on a request made pursuant to division (A) (2) (b) of 3095
this section. 3096

Sec. 4507.52. (A) (1) Each identification card issued by 3097
the registrar of motor vehicles or a deputy registrar shall 3098
display a distinguishing number assigned to the cardholder, and 3099
shall display the following inscription: 3100

"STATE OF OHIO IDENTIFICATION CARD 3101

This card is not valid for the purpose of operating a 3102
motor vehicle. It is provided solely for the purpose of 3103
establishing the identity of the bearer described on the card, 3104
who currently is not licensed to operate a motor vehicle in the 3105
state of Ohio." 3106

(2) The identification card shall display substantially 3107
the same information as contained in the application and as 3108
described in division (A) (1) of section 4507.51 of the Revised 3109
Code, ~~but including, if the cardholder is a noncitizen of the~~ 3110
United States, a notation designating that the cardholder is a 3111
noncitizen. The identification card shall not display the 3112
cardholder's social security number unless the cardholder 3113
specifically requests that the cardholder's social security 3114
number be displayed on the card. If federal law requires the 3115
cardholder's social security number to be displayed on the 3116
identification card, the social security number shall be 3117
displayed on the card notwithstanding this section. 3118

(3) The identification card also shall display the color 3119
photograph of the cardholder. 3120

(4) If the cardholder has executed a durable power of 3121
attorney for health care or a declaration governing the use or 3122
continuation, or the withholding or withdrawal, of life- 3123

sustaining treatment and has specified that the cardholder 3124
wishes the identification card to indicate that the cardholder 3125
has executed either type of instrument, the card also shall 3126
display any symbol chosen by the registrar to indicate that the 3127
cardholder has executed either type of instrument. 3128

(5) If the cardholder has specified that the cardholder 3129
wishes the identification card to indicate that the cardholder 3130
is a veteran, active duty, or reservist of the armed forces of 3131
the United States and has presented a copy of the cardholder's 3132
DD-214 form or an equivalent document, the card also shall 3133
display any symbol chosen by the registrar to indicate that the 3134
cardholder is a veteran, active duty, or reservist of the armed 3135
forces of the United States. 3136

(6) The card shall be designed as to prevent its 3137
reproduction or alteration without ready detection. 3138

(7) The identification card for persons under twenty-one 3139
years of age shall have characteristics prescribed by the 3140
registrar distinguishing it from that issued to a person who is 3141
twenty-one years of age or older, except that an identification 3142
card issued to a person who applies no more than thirty days 3143
before the applicant's twenty-first birthday shall have the 3144
characteristics of an identification card issued to a person who 3145
is twenty-one years of age or older. 3146

(8) (a) Except as provided in division (A) (8) (b) of this 3147
section, every identification card issued to a resident of this 3148
state shall expire, unless canceled or surrendered earlier, on 3149
the birthday of the cardholder in the fourth or the eighth year 3150
after the date on which it is issued, based on the period of 3151
renewal requested by the applicant. 3152

(b) Upon request, the registrar or a deputy registrar 3153
shall issue an identification card to a resident of this state 3154
who is permanently or irreversibly disabled that shall expire, 3155
unless canceled or surrendered earlier, on the birthday of the 3156
cardholder in the eighth year after the date on which it is 3157
issued. The registrar shall issue a reminder notice to a 3158
cardholder, at the last known address of the cardholder, six 3159
months before the identification card is scheduled to expire. 3160
The registrar shall adopt rules governing the documentation a 3161
cardholder shall submit to certify that the cardholder is 3162
permanently or irreversibly disabled. 3163

As used in this section, "permanently or irreversibly 3164
disabled" means a condition of disability from which there is no 3165
present indication of recovery. 3166

(c) Every identification card issued to a temporary 3167
resident shall expire in accordance with rules adopted by the 3168
registrar and is nonrenewable, but may be replaced with a new 3169
identification card upon the applicant's compliance with all 3170
applicable requirements. 3171

(9) A cardholder may renew the cardholder's identification 3172
card within ninety days prior to the day on which it expires by 3173
filing an application and paying the prescribed fee in 3174
accordance with section 4507.50 of the Revised Code. 3175

(10) If a cardholder applies for a driver's or commercial 3176
driver's license in this state or another licensing 3177
jurisdiction, the cardholder shall surrender the cardholder's 3178
identification card to the registrar or any deputy registrar 3179
before the license is issued. 3180

(B) (1) If a card is lost, destroyed, or mutilated, the 3181

person to whom the card was issued may obtain a duplicate by 3182
doing both of the following: 3183

(a) Furnishing suitable proof of the loss, destruction, or 3184
mutilation to the registrar or a deputy registrar; 3185

(b) Filing an application and presenting documentary 3186
evidence under section 4507.51 of the Revised Code. 3187

(2) A cardholder may apply to obtain a reprint of the 3188
cardholder's identification card through electronic means in 3189
accordance with section 4507.40 of the Revised Code. 3190

(3) Any person who loses a card and, after obtaining a 3191
duplicate or reprint, finds the original, immediately shall 3192
surrender the original to the registrar or a deputy registrar. 3193

(4) A cardholder may obtain a replacement identification 3194
card that reflects any change of the cardholder's name by 3195
furnishing suitable proof of the change to the registrar or a 3196
deputy registrar and surrendering the cardholder's existing 3197
card. 3198

(5) (a) When a cardholder applies for a duplicate or 3199
reprint or obtains a replacement identification card, the 3200
cardholder shall pay a fee of two dollars and fifty cents. A 3201
deputy registrar shall be allowed an additional fee equal to the 3202
amount established under section 4503.038 of the Revised Code 3203
for issuing a duplicate or replacement identification card. 3204

(b) A disabled veteran who is a cardholder and has a 3205
service-connected disability rated at one hundred per cent by 3206
the veterans' administration may apply to the registrar or a 3207
deputy registrar for the issuance of a duplicate or replacement 3208
identification card without payment of any fee prescribed in 3209
this section or may apply to the registrar for a reprint 3210

identification card without payment of any fee prescribed in 3211
this section. 3212

(c) A resident who is permanently or irreversibly disabled 3213
and who is unemployed may apply to the registrar or a deputy 3214
registrar for the issuance of a duplicate or replacement 3215
identification card without payment of any fee prescribed in 3216
this section or may apply to the registrar for a reprint 3217
identification card without payment of any fee prescribed in 3218
this section. 3219

(6) A duplicate, reprint, or replacement identification 3220
card expires on the same date as the card it replaces. 3221

(C) The registrar shall cancel any card upon determining 3222
that the card was obtained unlawfully, issued in error, or was 3223
altered. The registrar also shall cancel any card that is 3224
surrendered to the registrar or to a deputy registrar after the 3225
holder has obtained a duplicate, reprint, replacement, or 3226
driver's or commercial driver's license. 3227

(D) (1) No agent of the state or its political subdivisions 3228
shall condition the granting of any benefit, service, right, or 3229
privilege upon the possession by any person of an identification 3230
card. Nothing in this section shall preclude any publicly 3231
operated or franchised transit system from using an 3232
identification card for the purpose of granting benefits or 3233
services of the system. 3234

(2) No person shall be required to apply for, carry, or 3235
possess an identification card. 3236

(E) Except in regard to an identification card issued to a 3237
person who applies no more than thirty days before the 3238
applicant's twenty-first birthday, neither the registrar nor any 3239

deputy registrar shall issue an identification card to a person 3240
under twenty-one years of age that does not have the 3241
characteristics prescribed by the registrar distinguishing it 3242
from the identification card issued to persons who are twenty- 3243
one years of age or older. 3244

(F) Whoever violates division (E) of this section is 3245
guilty of a minor misdemeanor. 3246

Section 2. That existing sections 302.03, 323.17, 3501.01, 3247
3501.05, 3501.11, 3501.22, 3503.16, 3505.13, 3505.14, 3506.14, 3248
3509.01, 3509.03, 3509.04, 3509.05, 3509.051, 3509.06, 3509.08, 3249
3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3250
3511.09, 3511.10, 3511.11, 3511.13, 3513.301, 3513.312, 3521.03, 3251
3599.21, 4506.11, 4507.13, 4507.51, and 4507.52 of the Revised 3252
Code are hereby repealed. 3253

Section 3. The Secretary of State shall implement the 3254
online absent voter's ballot application system created under 3255
section 3509.031 of the Revised Code, as enacted by this act, 3256
not later than one year after this section takes effect. 3257

Section 4. All items in this act are hereby appropriated 3258
as designated out of any moneys in the state treasury to the 3259
credit of the designated fund. For all operating appropriations 3260
made in this act, those in the first column are for fiscal year 3261
2022 and those in the second column are for fiscal year 2023. 3262
The operating appropriations made in this act are in addition to 3263
any other operating appropriations made for the FY 2022-FY 2023 3264
biennium and FY 2024-FY 2025 biennium. 3265

3266

A	DAS DEPARTMENT OF ADMINISTRATIVE SERVICES			
B	Dedicated Purpose Fund Group			
C	5CV3	100668	Electronic Pollbooks	\$0 \$7,500,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$0 \$7,500,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0 \$7,500,000

ELECTRONIC POLLBOOKS 3267

The foregoing appropriation item 100668, Electronic 3268
Pollbooks, shall be used by the Office of Procurement Services 3269
within the Department of Administrative Services to pay eighty- 3270
five per cent of the calculated allocation cost of acquiring 3271
electronic pollbooks, as defined in section 3506.05 of the 3272
Revised Code, and ancillary equipment, for county boards of 3273
elections in accordance with this section. 3274

The Director of Administrative Services, in consultation 3275
with the Secretary of State, shall calculate the portion of 3276
appropriation item 100668, Electronic Pollbooks, to be allocated 3277
to each county board of elections in proportion to the number of 3278
registered voters in each county as recorded in the statewide 3279
voter registration database as of July 1, 2022. The Office of 3280
Procurement Services shall use the funding allocated to each 3281
county board of elections for the purchase of electronic 3282
pollbooks and ancillary equipment as follows: 3283

(A) For electronic pollbooks and ancillary equipment to be 3284
purchased after the effective date of this section, upon request 3285
by a county board of elections, the Secretary of State shall 3286
provide a list of the vendors and electronic pollbooks certified 3287

in accordance with section 3506.05 of the Revised Code. The 3288
board of elections shall select electronic pollbooks from this 3289
list and notify the Office of Procurement Services of its 3290
selection. The Office shall purchase the selected electronic 3291
pollbooks and any other necessary equipment on behalf of the 3292
board of elections and shall transfer those pollbooks and 3293
equipment to the board. The board of elections shall enter into 3294
a memorandum of understanding with the applicable board of 3295
county commissioners and the Department of Administrative 3296
Services concerning those purchases. The board of elections 3297
shall be responsible for fifteen per cent of the purchase costs 3298
of those pollbooks and ancillary equipment as determined by the 3299
Director of Administrative Services and Secretary of State under 3300
this section. 3301

(B) If, prior to the effective date of this section and 3302
after the date of December 31, 2019, a board of elections 3303
purchased electronic pollbooks or ancillary equipment, the 3304
Office of Procurement Services shall reimburse the board of 3305
elections for eighty-five per cent of that purchase up to the 3306
amount of the allocation as determined by the Director of 3307
Administrative Services and Secretary of State under this 3308
section. Reimbursement shall be paid to the county general fund. 3309

An amount equal to the unexpended, unencumbered portion 3310
remaining of the appropriation item 100668, Electronic 3311
Pollbooks, is hereby reappropriated for the same purpose in 3312
fiscal year 2024. 3313

Section 5. Within the limits set forth in this act, the 3314
Director of Budget and Management shall establish accounts 3315
indicating the source and amount of funds for each appropriation 3316
made in this act, and shall determine the form and manner in 3317

which appropriation accounts shall be maintained. Expenditures 3318
from operating appropriations contained in this act shall be 3319
accounted for as though made in H.B. 110 of the 134th General 3320
Assembly. The operating appropriations made in this act are 3321
subject to all provisions of H.B. 110 of the 134th General 3322
Assembly that are generally applicable to such appropriations. 3323

Section 6. Section 3511.10 of the Revised Code is 3324
presented in this act as a composite of the section as amended 3325
by both S.B. 205 and S.B. 238 of the 130th General Assembly. The 3326
General Assembly, applying the principle stated in division (B) 3327
of section 1.52 of the Revised Code that amendments are to be 3328
harmonized if reasonably capable of simultaneous operation, 3329
finds that the composite is the resulting version of the section 3330
in effect prior to the effective date of the section as 3331
presented in this act. 3332