

As Introduced

135th General Assembly

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H. B. No. 552

Representatives Wiggam, Lear

**Cosponsors: Representatives Bird, Creech, Kick, Dean, Gross, John, Johnson,
Klopfenstein, McClain, Miller, M., Schmidt**

A BILL

To amend sections 3501.01, 3503.151, 3503.19, 1
3503.21, 3505.181, 3505.182, and 3505.183 and to 2
enact section 3503.201 of the Revised Code to 3
enact the Voter Verification Act to require 4
election officials to verify certain information 5
in voter registration records and to require 6
electors to provide corrected information. 7

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

Section 1. That sections 3501.01, 3503.151, 3503.19, 8
3503.21, 3505.181, 3505.182, and 3505.183 be amended and section 9
3503.201 of the Revised Code be enacted to read as follows: 10

Sec. 3501.01. As used in the sections of the Revised Code 11
relating to elections and political communications: 12

(A) "General election" means the election held on the 13
first Tuesday after the first Monday in each November. 14

(B) "Regular municipal election" means the election held 15
on the first Tuesday after the first Monday in November in each 16
odd-numbered year. 17

(C) "Regular state election" means the election held on 18
the first Tuesday after the first Monday in November in each 19
even-numbered year. 20

(D) "Special election" means any election other than those 21
elections defined in other divisions of this section. A special 22
election may be held only on the first Tuesday after the first 23
Monday in May or November, on the first Tuesday after the first 24
Monday in August in accordance with section 3501.022 of the 25
Revised Code, or on the day authorized by a particular municipal 26
or county charter for the holding of a primary election, except 27
that in any year in which a presidential primary election is 28
held, no special election shall be held in May, except as 29
authorized by a municipal or county charter, but may be held on 30
the third Tuesday after the first Monday in March. 31

(E) (1) "Primary" or "primary election" means an election 32
held for the purpose of nominating persons as candidates of 33
political parties for election to offices, and for the purpose 34
of electing persons as members of the controlling committees of 35
political parties and as delegates and alternates to the 36
conventions of political parties. Primary elections shall be 37
held on the first Tuesday after the first Monday in May of each 38
year except in years in which a presidential primary election is 39
held. 40

(2) "Presidential primary election" means a primary 41
election as defined by division (E) (1) of this section at which 42
an election is held for the purpose of choosing delegates and 43
alternates to the national conventions of the major political 44
parties pursuant to section 3513.12 of the Revised Code. Unless 45
otherwise specified, presidential primary elections are included 46
in references to primary elections. In years in which a 47

presidential primary election is held, all primary elections 48
shall be held on the third Tuesday after the first Monday in 49
March except as otherwise authorized by a municipal or county 50
charter. 51

(F) "Political party" means any group of voters meeting 52
the requirements set forth in section 3517.01 of the Revised 53
Code for the formation and existence of a political party. 54

(1) "Major political party" means any political party 55
organized under the laws of this state whose candidate for 56
governor or nominees for presidential electors received not less 57
than twenty per cent of the total vote cast for such office at 58
the most recent regular state election. 59

(2) "Minor political party" means any political party 60
organized under the laws of this state that meets either of the 61
following requirements: 62

(a) Except as otherwise provided in this division, the 63
political party's candidate for governor or nominees for 64
presidential electors received less than twenty per cent but not 65
less than three per cent of the total vote cast for such office 66
at the most recent regular state election. A political party 67
that meets the requirements of this division remains a political 68
party for a period of four years after meeting those 69
requirements. 70

(b) The political party has filed with the secretary of 71
state, subsequent to its failure to meet the requirements of 72
division (F) (2) (a) of this section, a petition that meets the 73
requirements of section 3517.01 of the Revised Code. 74

A newly formed political party shall be known as a minor 75
political party until the time of the first election for 76

governor or president which occurs not less than twelve months 77
subsequent to the formation of such party, after which election 78
the status of such party shall be determined by the vote for the 79
office of governor or president. 80

(G) "Dominant party in a precinct" or "dominant political 81
party in a precinct" means that political party whose candidate 82
for election to the office of governor at the most recent 83
regular state election at which a governor was elected received 84
more votes than any other person received for election to that 85
office in such precinct at such election. 86

(H) "Candidate" means any qualified person certified in 87
accordance with the provisions of the Revised Code for placement 88
on the official ballot of a primary, general, or special 89
election to be held in this state, or any qualified person who 90
claims to be a write-in candidate, or who knowingly assents to 91
being represented as a write-in candidate by another at either a 92
primary, general, or special election to be held in this state. 93

(I) "Independent candidate" means any candidate who claims 94
not to be affiliated with a political party, and whose name has 95
been certified on the office-type ballot at a general or special 96
election through the filing of a statement of candidacy and 97
nominating petition, as prescribed in section 3513.257 of the 98
Revised Code. 99

(J) "Nonpartisan candidate" means any candidate whose name 100
is required, pursuant to section 3505.04 of the Revised Code, to 101
be listed on the nonpartisan ballot, including all candidates 102
for judge of a municipal court, county court, or court of common 103
pleas, for member of any board of education, for municipal or 104
township offices in which primary elections are not held for 105
nominating candidates by political parties, and for offices of 106

municipal corporations having charters that provide for separate ballots for elections for these offices.	107 108
(K) "Party candidate" means any candidate who claims to be a member of a political party and who has been certified to appear on the office-type ballot at a general or special election as the nominee of a political party because the candidate has won the primary election of the candidate's party for the public office the candidate seeks, has been nominated under section 3517.012, or is selected by party committee in accordance with section 3513.31 of the Revised Code.	109 110 111 112 113 114 115 116
(L) "Officer of a political party" includes, but is not limited to, any member, elected or appointed, of a controlling committee, whether representing the territory of the state, a district therein, a county, township, a city, a ward, a precinct, or other territory, of a major or minor political party.	117 118 119 120 121 122
(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.	123 124 125 126
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	127 128
(O) "Voter" means an elector who votes at an election.	129
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	130 131 132
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein	133 134 135

may vote at the same polling place.	136
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	137 138 139
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	140 141 142
(T) "Political subdivision" means a county, township, city, village, or school district.	143 144
(U) "Election officer" or "election official" means any of the following:	145 146
(1) Secretary of state;	147
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	148 149 150 151
(3) Director of a board of elections;	152
(4) Deputy director of a board of elections;	153
(5) Member of a board of elections;	154
(6) Employees of a board of elections;	155
(7) Precinct election officials;	156
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	157 158
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who	159 160 161

wishes to change the applicant's residence or name of the status 162
of the application; the information necessary to complete or 163
update the application, if any; and if the application is 164
complete, the precinct in which the applicant is to vote. 165

(W) "Confirmation notice" means a notice sent by a board 166
of elections, on a form prescribed by the secretary of state, to 167
a registered elector to confirm the registered elector's current 168
address, name, or other information required for registration. 169
The notice shall be sent by forwardable mail, shall be 170
accompanied by a postage prepaid, preaddressed return envelope 171
containing a form on which the elector may verify or correct the 172
elector's registration, and shall meet the requirements of the 173
National Voter Registration Act of 1993. 174

(X) "Designated agency" means an office or agency in the 175
state that provides public assistance or that provides state- 176
funded programs primarily engaged in providing services to 177
persons with disabilities and that is required by the National 178
Voter Registration Act of 1993 to implement a program designed 179
and administered by the secretary of state for registering 180
voters, or any other public or government office or agency that 181
implements a program designed and administered by the secretary 182
of state for registering voters, including the department of job 183
and family services, the program administered under section 184
3701.132 of the Revised Code by the department of health, the 185
department of mental health and addiction services, the 186
department of developmental disabilities, the opportunities for 187
Ohioans with disabilities agency, and any other agency the 188
secretary of state designates. "Designated agency" does not 189
include public high schools and vocational schools, public 190
libraries, or the office of a county treasurer. 191

(Y) "National Voter Registration Act of 1993" means the 192
"National Voter Registration Act of 1993," 107 Stat. 77, 42 193
U.S.C.A. 1973gg. 194

(Z) "Voting Rights Act of 1965" means the "Voting Rights 195
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 196

(AA) (1) "Photo identification" means one of the following 197
documents that includes the individual's name and photograph and 198
is not expired: 199

(a) An Ohio driver's license, state identification card, 200
or interim identification form issued by the registrar of motor 201
vehicles or a deputy registrar under Chapter 4506. or 4507. of 202
the Revised Code; 203

(b) A United States passport or passport card; 204

(c) A United States military identification card, Ohio 205
national guard identification card, or United States department 206
of veterans affairs identification card. 207

(2) A "copy" of an individual's photo identification means 208
images of both the front and back of a document described in 209
division (AA) (1) of this section, except that if the document is 210
a United States passport, a copy of the photo identification 211
means an image of the passport's identification page that 212
includes the individual's name, photograph, and other 213
identifying information and the passport's expiration date. 214

(BB) "Driver's license" means a license or permit issued 215
by the registrar or a deputy registrar under Chapter 4506. or 216
4507. of the Revised Code that authorizes an individual to 217
drive. "Driver's license" includes a driver's license, 218
commercial driver's license, probationary license, restricted 219
license, motorcycle operator's license, or temporary instruction 220

permit identification card. "Driver's license" does not include 221
a limited term license issued under section 4507.09 of the 222
Revised Code. 223

(CC) "State identification card" means a card issued by 224
the registrar or a deputy registrar under sections 4507.50 to 225
4507.52 of the Revised Code. 226

(DD) "Interim identification form" means the document 227
issued by the registrar or a deputy registrar to an applicant 228
for a driver's license or state identification card that 229
contains all of the information otherwise found on the license 230
or card and that an applicant may use as a form of 231
identification until the physical license or card arrives in the 232
mail. 233

Sec. 3503.151. (A) The secretary of state, through the 234
office of data analytics and archives, and the boards of 235
elections shall maintain the accuracy of the statewide voter 236
registration database in accordance with this section. 237

(B) (1) State agencies, including, but not limited to, the 238
department of health, the bureau of motor vehicles, the 239
department of job and family services, the department of 240
medicaid, and the department of rehabilitation and corrections, 241
shall provide any information and data to the secretary of state 242
that is collected in the course of normal business and that is 243
necessary to register to vote, to update an elector's 244
registration, or to maintain the statewide voter registration 245
database, except where prohibited by federal law or regulation. 246
The department of health, the bureau of motor vehicles, the 247
department of job and family services, the department of 248
medicaid, and the department of rehabilitation and corrections 249
shall provide that information and data to the secretary of 250

state not later than the last day of each month. The secretary 251
of state shall ensure that any information or data provided to 252
the secretary of state that is confidential in the possession of 253
the entity providing the data remains confidential while in the 254
possession of the secretary of state. No public office, and no 255
public official or employee, shall sell that information or data 256
or use that information or data for profit. 257

(2) The secretary of state shall adopt rules under Chapter 258
119. of the Revised Code that establish, by mutual agreement 259
with the bureau of motor vehicles, the content and format of the 260
information and data the bureau of motor vehicles shall provide 261
to the secretary of state under division (B)(1) of this section 262
and the frequency with which the bureau shall provide that 263
information and data. 264

(C)(1) The secretary of state shall enter into agreements 265
to share information or data that is in the possession of the 266
secretary of state with other states or groups of states, as the 267
secretary of state considers necessary, in order to maintain the 268
statewide voter registration database. Except as otherwise 269
provided in division (C)(2) of this section, the secretary of 270
state shall ensure that any information or data provided to the 271
secretary of state that is confidential in the possession of the 272
state providing the data remains confidential while in the 273
possession of the secretary of state. 274

(2) The secretary of state may provide such otherwise 275
confidential information or data to persons or organizations 276
that are engaging in legitimate governmental purposes related to 277
the maintenance of the statewide voter registration database. 278
The secretary of state shall adopt rules pursuant to Chapter 279
119. of the Revised Code identifying the persons or 280

organizations who may receive that information or data. The 281
secretary of state shall not share that information or data with 282
a person or organization not identified in those rules. The 283
secretary of state shall ensure that a person or organization 284
that receives confidential information or data under this 285
division keeps the information or data confidential in the 286
person's or organization's possession by, at a minimum, entering 287
into a confidentiality agreement with the person or 288
organization. Any confidentiality agreement entered into under 289
this division shall include a requirement that the person or 290
organization submit to the jurisdiction of this state in the 291
event that the person or organization breaches the agreement. 292

(3) No person or entity that receives information or data 293
under division (C) of this section shall sell the information or 294
data or use the information or data for profit. 295

(D) The secretary of state shall regularly transmit to the 296
boards of elections, to the extent permitted by state and 297
federal law, the information and data the secretary of state 298
receives under divisions (B) and (C) of this section that is 299
necessary to do the following, in order to ensure that the 300
accuracy of the statewide voter registration database is 301
maintained on a regular basis in accordance with applicable 302
state and federal law: 303

(1) Require the boards of elections to maintain the 304
database in a manner that ensures that the name of each 305
registered elector appears in the database, that only 306
individuals who are not registered or eligible to vote are 307
removed from the database, and that duplicate registrations are 308
eliminated from the database; 309

(2) Require the boards of elections to make a reasonable 310

effort to remove individuals who are not eligible to vote from 311
the database; 312

(3) Establish safeguards to ensure that eligible electors 313
are not removed in error from the database. 314

(E) (1) The secretary of state shall use the information in 315
the statewide voter registration database and the databases of 316
the bureau of motor vehicles and the United States social 317
security administration to prepare and transmit to each board of 318
elections a weekly report that identifies each voter 319
registration record in the county to which any of the following 320
apply and that has not been identified in a previous weekly 321
report: 322

(a) The record contains neither an Ohio driver's license 323
or state identification card number nor the last four digits of 324
a social security number. 325

(b) The record contains an Ohio driver's license or state 326
identification card number, but one of the following applies: 327

(i) The number does not exist in the records of the bureau 328
of motor vehicles. 329

(ii) The number exists in the records of the bureau of 330
motor vehicles but is not associated with the first name, last 331
name, and date of birth that appear in the voter registration 332
record. 333

(iii) Except as otherwise provided in division (E) (2) of 334
this section, the number exists in the records of the bureau of 335
motor vehicles and is associated with the first name, last name, 336
and date of birth that appear in the voter registration record, 337
but the residence address that appears in the records of the 338
bureau of motor vehicles is not the same as the residence 339

address that appears in the voter registration record. 340

(c) The record contains the last four digits of a social security number, but one of the following applies: 341
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(i) Those digits do not exist in the records of the United States social security administration. 343
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(ii) Those digits exist in the records of the United States social security administration but are not associated with the first name, last name, and date of birth that appear in the voter registration record. 345
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(2) The report shall exclude any voter registration record described in division (E) (1) (b) (iii) belonging to an elector to whom either of the following applies: 349
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(a) The elector is a participant in the address confidentiality program described in sections 111.41 to 111.99 of the Revised Code. 352
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(b) The elector is a designated public service worker, as described in section 149.43 of the Revised Code, and one of the following applies: 355
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(i) The elector has submitted a redaction request to the secretary of state or to the board of elections under section 149.45 of the Revised Code. 358
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(ii) It is otherwise apparent from the elector's voter registration record or from the records of the bureau of motor vehicles that the elector is a designated public service worker. 361
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(3) If, after a voter registration record appears on a report created under division (E) of this section because of the circumstances described in division (E) (1) (b) (iii) of this section, and the secretary of state learns in the preparation of 364
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a subsequent report that the elector's residence address in the 368
records of the bureau of motor vehicles has been updated to 369
match the elector's residence address in the voter registration 370
record, the subsequent report shall include an instruction to 371
the board to remove the indication from the elector's 372
registration record added under division (A)(1) of section 373
3503.201 of the Revised Code. 374

(4) The board of elections shall proceed under section 375
3503.201 of the Revised Code not later than two weeks after 376
receiving the report. 377

(5) Subject to division (A)(2) of section 3503.13 of the 378
Revised Code, the secretary of state shall make the information 379
in each weekly report available to the public on the secretary 380
of state's official web site. 381

(F)(1) The secretary of state shall adopt rules under 382
Chapter 119. of the Revised Code to establish a uniform method 383
for addressing instances in which records contained in the 384
statewide voter registration database do not conform with 385
records maintained by an agency, state, or group of states 386
described in division (B) or (C) of this section. That method 387
shall prohibit an elector's voter registration from being 388
canceled on the sole basis that the information in the 389
registration record does not conform to records maintained by 390
such an agency. 391

(2) Information provided under division (B) or (C) of this 392
section for maintenance of the statewide voter registration 393
database shall not be used to update the name or address of a 394
registered elector. The name or address of a registered elector 395
shall only be updated as a result of the elector's actions in 396
filing a notice of change of name, change of address, or both. 397

(3) ~~A~~ Except as otherwise provided in section 3503.201 of 398
the Revised Code, a board of elections shall contact a 399
registered elector pursuant to the rules adopted under division 400
~~(E) (1)~~ (F) (1) of this section to verify the accuracy of the 401
information in the statewide voter registration database 402
regarding that elector if that information does not conform with 403
information provided under division (B) or (C) of this section 404
and the discrepancy would affect the elector's eligibility to 405
cast a regular ballot. 406

Sec. 3503.19. (A) Persons qualified to register or to 407
change their registration because of a change of address or 408
change of name may register or change their registration in 409
person at any state or local office of a designated agency, at 410
the office of the registrar or any deputy registrar of motor 411
vehicles, at a public high school or vocational school, at a 412
public library, at the office of a county treasurer, or at a 413
branch office established by the board of elections, or in 414
person, through another person, or by mail at the office of the 415
secretary of state or at the office of a board of elections. A 416
registered elector may also change the elector's registration on 417
election day at any polling place where the elector is eligible 418
to vote, in the manner provided under section 3503.16 of the 419
Revised Code. 420

Any state or local office of a designated agency, the 421
office of the registrar or any deputy registrar of motor 422
vehicles, a public high school or vocational school, a public 423
library, or the office of a county treasurer shall transmit any 424
voter registration application or change of registration form 425
that it receives to the board of elections of the county in 426
which the state or local office is located, within five days 427
after receiving the voter registration application or change of 428

registration form. 429

An otherwise valid voter registration application that is 430
returned to the appropriate office other than by mail must be 431
received by a state or local office of a designated agency, the 432
office of the registrar or any deputy registrar of motor 433
vehicles, a public high school or vocational school, a public 434
library, the office of a county treasurer, the office of the 435
secretary of state, or the office of a board of elections no 436
later than the thirtieth day preceding a primary, special, or 437
general election for the person to qualify as an elector 438
eligible to vote at that election. An otherwise valid 439
registration application received after that day entitles the 440
elector to vote at all subsequent elections. 441

Any state or local office of a designated agency, the 442
office of the registrar or any deputy registrar of motor 443
vehicles, a public high school or vocational school, a public 444
library, or the office of a county treasurer shall date stamp a 445
registration application or change of name or change of address 446
form it receives using a date stamp that does not disclose the 447
identity of the state or local office that receives the 448
registration. 449

Voter registration applications, if otherwise valid, that 450
are returned by mail to the office of the secretary of state or 451
to the office of a board of elections must be postmarked no 452
later than the thirtieth day preceding a primary, special, or 453
general election in order for the person to qualify as an 454
elector eligible to vote at that election. If an otherwise valid 455
voter registration application that is returned by mail does not 456
bear a postmark or a legible postmark, the registration shall be 457
valid for that election if received by the office of the 458

secretary of state or the office of a board of elections no 459
later than twenty-five days preceding any special, primary, or 460
general election. 461

(B) (1) Any person may apply in person, by telephone, by 462
mail, or through another person for voter registration forms to 463
the office of the secretary of state or the office of a board of 464
elections. An individual who is eligible to vote as a uniformed 465
services voter or an overseas voter in accordance with 42 U.S.C. 466
1973ff-6 also may apply for voter registration forms by 467
electronic means to the office of the secretary of state or to 468
the board of elections of the county in which the person's 469
voting residence is located pursuant to section 3503.191 of the 470
Revised Code. 471

(2) (a) An applicant may return the applicant's completed 472
registration form in person or by mail to any state or local 473
office of a designated agency, to a public high school or 474
vocational school, to a public library, to the office of a 475
county treasurer, to the office of the secretary of state, or to 476
the office of a board of elections. An applicant who is eligible 477
to vote as a uniformed services voter or an overseas voter in 478
accordance with 42 U.S.C. 1973ff-6 also may return the 479
applicant's completed voter registration form electronically to 480
the office of the secretary of state or to the board of 481
elections of the county in which the person's voting residence 482
is located pursuant to section 3503.191 of the Revised Code. 483

(b) Subject to division (B) (2) (c) of this section, an 484
applicant may return the applicant's completed registration form 485
through another person to any board of elections or the office 486
of the secretary of state. 487

(c) A person who receives compensation for registering a 488

voter shall return any registration form entrusted to that 489
person by an applicant to any board of elections or to the 490
office of the secretary of state. 491

(d) If a board of elections or the office of the secretary 492
of state receives a registration form under division (B) (2) (b) 493
or (c) of this section before the thirtieth day before an 494
election, the board or the office of the secretary of state, as 495
applicable, shall forward the registration to the board of 496
elections of the county in which the applicant is seeking to 497
register to vote within ten days after receiving the 498
application. If a board of elections or the office of the 499
secretary of state receives a registration form under division 500
(B) (2) (b) or (c) of this section on or after the thirtieth day 501
before an election, the board or the office of the secretary of 502
state, as applicable, shall forward the registration to the 503
board of elections of the county in which the applicant is 504
seeking to register to vote within thirty days after that 505
election. 506

(C) ~~(1)~~ A board of elections that receives a voter 507
registration application and is satisfied as to the truth of the 508
statements made in the registration form shall register the 509
applicant not later than twenty business days after receiving 510
the application, unless that application is received during the 511
thirty days immediately preceding the day of an election. The 512
board shall promptly ~~notify~~ send the applicant an acknowledgment 513
notice that notifies the applicant in writing of each of the 514
following: 515

~~(a)~~ (1) The applicant's registration; 516

~~(b)~~ (2) The precinct in which the applicant is to vote; 517

~~(e)-(3)~~ In bold type as follows: 518

"Voters must bring photo identification to the polls in 519
order to verify identity. Voters who do not provide photo 520
identification will still be able to vote by casting a 521
provisional ballot." 522

The ~~notification-acknowledgment notice~~ shall be by 523
nonforwardable mail. If the ~~mail-acknowledgment notice~~ is 524
returned to the board, it shall investigate and cause the 525
~~notification-acknowledgment notice~~ to be delivered to the 526
correct address. If the board is unable to verify the elector's 527
residence address, the board shall proceed under section 528
3503.201 of the Revised Code. 529

~~(2) If, after investigating as required under division (C)~~ 530
~~(1) of this section, the board is unable to verify the voter's~~ 531
~~correct address, it shall cause the voter's name in the official~~ 532
~~registration list and in the poll list or signature pollbook to~~ 533
~~be marked to indicate that the voter's notification was returned~~ 534
~~to the board.~~ 535

~~At the first election at which a voter whose name has been~~ 536
~~so marked appears to vote, the voter shall be required to vote~~ 537
~~by provisional ballot under section 3505.181 of the Revised~~ 538
~~Code. If the provisional ballot is counted pursuant to division~~ 539
~~(B) (3) of section 3505.183 of the Revised Code, the board shall~~ 540
~~correct that voter's registration, if needed, and shall remove~~ 541
~~the indication that the voter's notification was returned from~~ 542
~~that voter's name on the official registration list and on the~~ 543
~~poll list or signature pollbook. If the provisional ballot is~~ 544
~~not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of~~ 545
~~section 3505.183 of the Revised Code, the voter's registration~~ 546
~~shall be canceled. The board shall notify the voter by United~~ 547

~~States mail of the cancellation.~~ 548

~~(3) If a notice of the disposition of an otherwise valid registration application is sent by nonforwardable mail and is returned undelivered, the person shall be registered as provided in division (C) (2) of this section and sent a confirmation notice by forwardable mail. If the person fails to respond to the confirmation notice, update the person's registration, or vote by provisional ballot as provided in division (C) (2) of this section in any election during the period of two federal elections subsequent to the mailing of the confirmation notice, the person's registration shall be canceled.~~ 549
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Sec. 3503.201. (A) When either of the following occurs, 559
the board of elections shall send the elector a confirmation 560
notice and shall mark the elector's name in the official 561
registration list and in the poll list or signature pollbook to 562
indicate that the elector must vote by provisional ballot: 563

(1) The board determines that it is unable to verify an elector's residence address, as described in division (C) of section 3503.19 of the Revised Code. 564
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(2) (a) The board receives a report from the secretary of state under division (E) of section 3503.151 of the Revised Code indicating that the board must verify the elector's Ohio driver's license or state identification card number, the last four digits of the elector's social security number, or the elector's residence address. 567
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(b) The board shall not follow the procedures of division (A) (2) (a) of this section on the basis that an elector appears in a report indicating that the board must verify the elector's residence address if it is apparent to the board that the 573
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575
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elector is a participant in the address confidentiality program 577
described in sections 111.41 to 111.99 of the Revised Code or is 578
a designated public service worker as described in section 579
149.43 of the Revised Code. 580

(c) Upon receiving notice in a subsequent report under 581
division (A) (2) (a) of this section that an elector's residence 582
address in the records of the bureau of motor vehicles has been 583
updated to match the elector's residence address in the voter 584
registration record, the board shall remove the indication that 585
the elector must vote by provisional ballot. 586

(B) (1) If the board must verify an elector's residence 587
address, and the elector provides a valid residence address to 588
the board before the elector next appears to vote, the board 589
shall correct the elector's registration, if needed, and shall 590
remove the indication that the elector must vote by provisional 591
ballot. 592

(2) If the board must verify an elector's Ohio driver's 593
license or state identification card number or the last four 594
digits of the elector's social security number, and the elector 595
provides at least one of the following to the board before the 596
elector next appears to vote, the board shall correct the 597
elector's registration, if needed, and shall remove the 598
indication that the elector must vote by provisional ballot: 599

(a) An Ohio driver's license or state identification card 600
number that exists in the records of the bureau of motor 601
vehicles and is associated with the elector's first name, last 602
name, and date of birth, as confirmed by the secretary of state; 603

(b) The last four digits of a social security number that 604
exists in the records of the United States social security 605

administration and is associated with the elector's first name, 606
last name, and date of birth, as confirmed by the secretary of 607
state; 608

(c) A correction to the elector's first name, last name, 609
or date of birth in the elector's registration record such that 610
the number in the elector's registration record meets the 611
requirements of division (B) (2) (a) or (b) of this section, as 612
applicable, as confirmed by the secretary of state. 613

(3) If the board must verify both the elector's residence 614
address and the elector's Ohio driver's license or state 615
identification card number or the last four digits of the 616
elector's social security number, and the elector complies with 617
divisions (B) (1) and (2) of this section, the board shall 618
correct the elector's registration, if needed, and shall remove 619
the indication that the elector must vote by provisional ballot. 620

(C) (1) Except as otherwise provided in division (B) of 621
this section, at the first election at which the elector appears 622
to vote, the elector shall vote by provisional ballot under 623
section 3505.181 of the Revised Code. 624

(2) If the board must verify the elector's Ohio driver's 625
license or state identification card number or the last four 626
digits of the elector's social security number, then in order 627
for the elector's provisional ballot to be eligible to be 628
counted, in addition to meeting all other requirements described 629
in division (B) (3) of section 3505.183 of the Revised Code, the 630
elector shall provide at least one of the following on the 631
provisional ballot affirmation or shall appear in person at the 632
office of the board within four days after the day of the 633
election and provide at least one of the following: 634

(a) An Ohio driver's license or state identification card 635
that exists in the records of the bureau of motor vehicles and 636
is associated with the elector's first name, last name, and date 637
of birth, as confirmed by the secretary of state; 638

(b) The last four digits of a social security number that 639
exists in the records of the United States social security 640
administration and is associated with the elector's first name, 641
last name, and date of birth, as confirmed by the secretary of 642
state; 643

(c) A correction to the elector's first name, last name, 644
or date of birth in the elector's registration record such that 645
the number in the elector's registration record meets the 646
requirements of division (C) (2) (a) or (b) of this section, as 647
applicable, as confirmed by the secretary of state. 648

(3) If the elector's provisional ballot is counted 649
pursuant to division (B) (3) of section 3505.183 of the Revised 650
Code and, if applicable, pursuant to division (C) (2) of this 651
section, the board shall correct the elector's registration, if 652
needed, and shall remove the indication that the elector must 653
vote by provisional ballot. 654

(4) If the provisional ballot is not counted pursuant to 655
division (B) (4) (a) (i), (v), or (vi) of section 3505.183 of the 656
Revised Code or, if applicable, pursuant to division (C) (2) of 657
this section, the board shall cancel the elector's registration 658
and shall notify the elector by United States mail of the 659
cancellation. The notice shall inform the elector that the 660
elector may again register to vote if the elector is eligible to 661
do so. 662

Sec. 3503.21. (A) The registration of a registered elector 663

shall be canceled upon the occurrence of any of the following: 664

(1) The filing by a registered elector of a written 665
request with a board of elections or the secretary of state, on 666
a form prescribed by the secretary of state and signed by the 667
elector, that the registration be canceled. The filing of such a 668
request does not prohibit an otherwise qualified elector from 669
reregistering to vote at any time. 670

(2) The filing of a notice of the death of a registered 671
elector as provided in section 3503.18 of the Revised Code; 672

(3) The filing with the board of elections of a certified 673
copy of the death certificate of a registered elector by the 674
deceased elector's spouse, parent, or child, by the 675
administrator of the deceased elector's estate, or by the 676
executor of the deceased elector's will; 677

(4) The conviction of the registered elector of a felony 678
under the laws of this state, any other state, or the United 679
States as provided in section 2961.01 of the Revised Code; 680

(5) The adjudication of incompetency of the registered 681
elector for the purpose of voting as provided in section 682
5122.301 of the Revised Code; 683

(6) The change of residence of the registered elector to a 684
location outside the county of registration in accordance with 685
division (B) of this section; 686

(7) The failure of the registered elector, after having 687
been mailed a confirmation notice, to do either of the 688
following: 689

(a) Respond to such a notice and vote at least once during 690
a period of four consecutive years, which period shall include 691

two general federal elections; 692

(b) Update the elector's registration and vote at least 693
once during a period of four consecutive years, which period 694
shall include two general federal elections. 695

(8) The receipt by the board of elections of a 696
cancellation notice or request pursuant to section 111.44 of the 697
Revised Code. 698

(B) (1) The secretary of state shall prescribe procedures 699
to identify and cancel the registration in a prior county of 700
residence of any registrant who changes the registrant's voting 701
residence to a location outside the registrant's current county 702
of registration. Any procedures prescribed in this division 703
shall be uniform and nondiscriminatory, and shall comply with 704
the Voting Rights Act of 1965. The secretary of state may 705
prescribe procedures under this division that include the use of 706
the national change of address service provided by the United 707
States postal system through its licensees. Any program so 708
prescribed shall be completed not later than ninety days prior 709
to the date of any primary or general election for federal 710
office. 711

(2) The registration of any elector identified as having 712
changed the elector's voting residence to a location outside the 713
elector's current county of registration shall not be canceled 714
unless the registrant is sent a confirmation notice on a form 715
prescribed by the secretary of state and the registrant fails to 716
respond to the confirmation notice or otherwise update the 717
registration and fails to vote in any election during the period 718
of two federal elections subsequent to the mailing of the 719
confirmation notice. 720

(C) The registration of a registered elector shall not be 721
canceled except as provided in this section, section 111.44 of 722
the Revised Code, division (Q) of section 3501.05 of the Revised 723
Code, division ~~(C) (2)~~ (C) (4) of section ~~3503.19~~ 3503.201 of the 724
Revised Code, or division (C) of section 3503.24 of the Revised 725
Code. 726

(D) Boards of elections shall send their voter 727
registration information to the secretary of state as required 728
under section 3503.15 of the Revised Code. The secretary of 729
state may prescribe by rule adopted pursuant to section 111.15 730
of the Revised Code the format in which the boards of elections 731
must send that information to the secretary of state. In the 732
first quarter of each year, the secretary of state shall send 733
the information to the national change of address service 734
described in division (B) of this section and request that 735
service to provide the secretary of state with a list of any 736
voters sent by the secretary of state who have moved within the 737
last twelve months. The secretary of state shall transmit to 738
each appropriate board of elections whatever lists the secretary 739
of state receives from that service. The board shall send a 740
notice to each person on the list transmitted by the secretary 741
of state requesting confirmation of the person's change of 742
address, together with a postage prepaid, preaddressed return 743
envelope containing a form on which the voter may verify or 744
correct the change of address information. 745

(E) The registration of a registered elector described in 746
division (A) (7) or (B) (2) of this section shall be canceled not 747
later than one hundred twenty days after the date of the second 748
general federal election in which the elector fails to vote or 749
not later than one hundred twenty days after the expiration of 750
the four-year period in which the elector fails to vote or 751

respond to a confirmation notice, whichever is later. 752

(F) (1) When a registration is canceled pursuant to 753
division (A) (2) or (3) of this section, the applicable board of 754
elections shall send a written notice, on a form prescribed by 755
the secretary of state, to the address at which the elector was 756
registered, informing the recipient that the elector's 757
registration has been canceled, of the reason for the 758
cancellation, and that if the cancellation was made in error, 759
the elector may contact the board of elections to correct the 760
error. 761

(2) If the elector's registration is canceled pursuant to 762
division (A) (2) or (3) of this section in error, it shall be 763
restored and treated as though it were never canceled. 764

Sec. 3505.181. (A) All of the following individuals shall 765
be permitted to cast a provisional ballot at an election: 766

(1) An individual who declares that the individual is a 767
registered voter in the precinct in which the individual desires 768
to vote and that the individual is eligible to vote in an 769
election, but the name of the individual does not appear on the 770
official list of eligible voters for the precinct or an election 771
official asserts that the individual is not eligible to vote; 772

(2) An individual who does not have or is unable to 773
provide photo identification to the election officials; 774

(3) An individual whose name in the poll list or signature 775
pollbook has been marked under section 3509.09 or 3511.13 of the 776
Revised Code as having requested an absent voter's ballot or a 777
uniformed services or overseas absent voter's ballot for that 778
election and who appears to vote at the polling place; 779

(4) An individual ~~whose notification of registration has~~ 780

~~been returned undelivered to the board of elections and whose~~ 781
name in the official registration list and in the poll list or 782
signature pollbook has been marked under ~~division (C) (2) of~~ 783
section ~~3503.19~~ 3503.201 of the Revised Code; 784

(5) An individual who has been successfully challenged 785
under section 3505.20 or 3513.20 of the Revised Code; 786

(6) An individual who changes the individual's name and 787
remains within the precinct without providing proof of that name 788
change under division (B) (1) (b) of section 3503.16 of the 789
Revised Code, moves from one precinct to another within a 790
county, moves from one precinct to another and changes the 791
individual's name, or moves from one county to another within 792
the state, and completes and signs the required forms and 793
statements under division (B) or (C) of section 3503.16 of the 794
Revised Code; 795

(7) An individual whose signature, in the opinion of the 796
precinct officers under section 3505.22 of the Revised Code, is 797
not that of the person who signed that name in the registration 798
forms. 799

(B) An individual who is eligible to cast a provisional 800
ballot under division (A) of this section shall be permitted to 801
cast a provisional ballot as follows: 802

(1) An election official at the polling place shall notify 803
the individual that the individual may cast a provisional ballot 804
in that election. 805

(2) Except as otherwise provided in division (F) of this 806
section, the individual shall complete and execute a written 807
affirmation before an election official at the polling place 808
stating that the individual is both of the following: 809

(a) A registered voter in the precinct in which the individual desires to vote; 810
811

(b) Eligible to vote in that election. 812

(3) An election official at the polling place shall 813
transmit the ballot cast by the individual and the voter 814
information contained in the written affirmation executed by the 815
individual under division (B) (2) of this section to an 816
appropriate local election official for verification under 817
division (B) (4) of this section. 818

(4) If the appropriate local election official to whom the 819
ballot or voter or address information is transmitted under 820
division (B) (3) of this section determines that the individual 821
is eligible to vote, the individual's provisional ballot shall 822
be counted as a vote in that election. 823

(5) (a) At the time that an individual casts a provisional 824
ballot, the appropriate local election official shall give the 825
individual written information that states that any individual 826
who casts a provisional ballot will be able to ascertain under 827
the system established under division (B) (5) (b) of this section 828
whether the vote was counted, and, if the vote was not counted, 829
the reason that the vote was not counted. 830

(b) The appropriate state or local election official shall 831
establish a free access system, in the form of a toll-free 832
telephone number, that any individual who casts a provisional 833
ballot may access to discover whether the vote of that 834
individual was counted, and, if the vote was not counted, the 835
reason that the vote was not counted. The free access system 836
established under this division also shall provide to an 837
individual whose provisional ballot was not counted information 838

explaining how that individual may contact the board of 839
elections to register to vote or to resolve problems with the 840
individual's voter registration. 841

The appropriate state or local election official shall 842
establish and maintain reasonable procedures necessary to 843
protect the security, confidentiality, and integrity of personal 844
information collected, stored, or otherwise used by the free 845
access system established under this division. The system shall 846
permit an individual only to gain access to information about 847
the individual's own provisional ballot. 848

(6) If, at the time that an individual casts a provisional 849
ballot, the individual provides photo identification, the 850
individual shall record the type of identification provided on 851
the provisional ballot affirmation and, if the individual 852
provides an Ohio driver's license, state identification card, or 853
interim identification document, the individual also shall write 854
the individual's driver's license or state identification card 855
number on the provisional ballot affirmation. 856

(7) (a) For a provisional ballot to be eligible to be 857
counted when it is cast by an individual who does not have photo 858
identification because the individual has a religious objection 859
to being photographed, the individual shall complete an 860
affidavit of religious objection under section 3505.19 of the 861
Revised Code. The election officials shall attach the affidavit 862
to the individual's provisional ballot envelope. If the 863
individual does not complete the affidavit at the time of 864
casting the provisional ballot, the individual may appear at the 865
office of the board of elections within four days after the day 866
of the election and complete the affidavit. 867

(b) For a provisional ballot to be eligible to be counted 868

when it is cast by any other individual who does not have or is 869
unable to provide photo identification to the election 870
officials, the individual who cast that ballot, within four days 871
after the day of the election, shall appear at the office of the 872
board of elections and provide photo identification. 873

(8) For a provisional ballot cast by an individual who has 874
been successfully challenged under section 3505.20 of the 875
Revised Code to be eligible to be counted, the individual who 876
cast that ballot, within four days after the day of that 877
election, shall provide to the board of elections any 878
identification or other documentation required to be provided by 879
the applicable challenge questions asked of that individual 880
under section 3505.20 of the Revised Code. 881

(9) For a provisional ballot cast by an individual 882
described in division (C) (2) of section 3503.201 of the Revised 883
Code to be eligible to be counted, the individual shall provide 884
the information required under that division on the provisional 885
ballot affirmation or shall provide it in person at the office 886
of the board of elections within four days after the day of the 887
election. 888

(C) (1) If an individual declares that the individual is 889
eligible to vote in a precinct other than the precinct in which 890
the individual desires to vote, or if, upon review of the 891
precinct voting location guide using the residential street 892
address provided by the individual, an election official at the 893
precinct at which the individual desires to vote determines that 894
the individual is not eligible to vote in that precinct, the 895
election official shall direct the individual to the precinct 896
and polling place in which the individual appears to be eligible 897
to vote, explain that the individual may cast a provisional 898

ballot at the current location but the ballot or a portion of 899
the ballot will not be counted if it is cast in the wrong 900
precinct, and provide the telephone number of the board of 901
elections in case the individual has additional questions. 902

(2) If the individual refuses to travel to the correct 903
precinct or to the office of the board of elections to cast a 904
ballot, the individual shall be permitted to vote a provisional 905
ballot at that precinct in accordance with division (B) of this 906
section. If the individual is in the correct polling location 907
for the precinct in which the individual is registered and 908
eligible to vote, the election official shall complete and sign, 909
under penalty of election falsification, a form that includes 910
all of the following, and attach the form to the individual's 911
provisional ballot affirmation: 912

(a) The name or number of the individual's correct 913
precinct; 914

(b) A statement that the election official instructed the 915
individual to travel to the correct precinct to vote; 916

(c) A statement that the election official informed the 917
individual that casting a provisional ballot in the wrong 918
precinct would result in all or a portion of the votes on the 919
ballot being rejected; 920

(d) The name or number of the precinct in which the 921
individual is casting a provisional ballot; and 922

(e) The name of the polling location in which the 923
individual is casting a provisional ballot. 924

(D) The appropriate local election official shall cause 925
voting information to be publicly posted at each polling place 926
on the day of each election. 927

(E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code:	928 929
(1) "Precinct voting location guide" means either of the following:	930 931
(a) An electronic or paper record that lists the correct precinct and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;	932 933 934 935
(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct precinct and polling place of any qualified elector who resides in the county.	936 937 938 939 940
(2) "Voting information" means all of the following:	941
(a) A sample version of the ballot that will be used for that election;	942 943
(b) Information regarding the date of the election and the hours during which polling places will be open;	944 945
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	946 947
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	948 949
(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;	950 951 952 953 954

(f) General information on federal and state laws 955
regarding prohibitions against acts of fraud and 956
misrepresentation. 957

(F) Nothing in this section or section 3505.183 of the 958
Revised Code is in derogation of section 3505.24 of the Revised 959
Code, which permits a blind, disabled, or illiterate elector to 960
receive assistance in the marking of the elector's ballot by two 961
precinct election officials of different political parties. A 962
blind, disabled, or illiterate elector may receive assistance in 963
marking that elector's provisional ballot and in completing the 964
required affirmation in the same manner as an elector may 965
receive assistance on the day of an election under that section. 966

Sec. 3505.182. Each individual who casts a provisional 967
ballot under section 3505.181 of the Revised Code shall execute 968
a written affirmation. The form of the written affirmation shall 969
be printed upon the face of the provisional ballot envelope and 970
shall be as follows: 971

"Provisional Ballot Affirmation 972

(A) Clearly print your full name: _____ 973

(B) Write your date of birth: _____ 974

(C) (1) Write your current address: _____ 975

_____ 976

(2) Have you moved without updating your voter 977
registration?: 978

Yes _____ No _____ 979

If yes, write your former address: _____ 980

_____ 981

Failure to provide your former address will not cause your provisional ballot to be rejected. 982
983

(D) (1) You must show photo identification to the election official that includes your name and photograph and is not expired. Check the type of photo identification you provided: 984
985
986

_____ An Ohio driver's license or state identification card or an interim identification form issued by the Bureau of Motor Vehicles. If you showed your Ohio driver's license or state identification card or an interim identification form, write your full driver's license or state identification card number: _____ 987
988
989
990
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_____ A United States passport or passport card; 993

_____ A United States military identification card, Ohio national guard identification card, or United States department of veterans affairs identification card. 994
995
996

(2) If you do not have photo identification because you have a religious objection to being photographed, complete an affidavit of religious objection. The precinct election official will attach it to the provisional ballot envelope. 997
998
999
1000

(3) If you did not show photo identification to the election official or complete an affidavit of religious objection, you must appear at the office of the board of elections during the four days after the election and provide photo identification or complete an affidavit of religious objection for your vote to be eligible to be counted. 1001
1002
1003
1004
1005
1006

(4) If you need to update your voter registration or to verify the identification you used to register to vote, you may provide additional information below. This information will ~~not~~ be used for ballot counting purposes only if you need to verify 1007
1008
1009
1010

the identification you used to register to vote. 1011

Write your full Ohio driver's license or state 1012
identification card number: _____ 1013

Write the last four digits of your Social Security number: 1014
_____ 1015

(E) If your right to vote has been challenged, you must 1016
provide any required additional information to the board of 1017
elections on or before the ~~seventh~~fourth day following this 1018
election. 1019

(F) Sign and date the following statement: 1020

I solemnly swear or affirm that I am a citizen of the 1021
United States; that I will be at least 18 years of age at the 1022
time of the general election; that I have lived in this state 1023
for 30 days immediately preceding this election in which I am 1024
voting this ballot; that I am a registered voter in the precinct 1025
in which I am voting this provisional ballot; and that I am 1026
eligible to vote in the election in which I am voting this 1027
provisional ballot. 1028

I understand that, if the information I provide on this 1029
provisional ballot affirmation is not fully completed and 1030
correct, if the board of elections determines that I am not 1031
registered to vote, a resident of this precinct, or eligible to 1032
vote in this election, or if the board of elections determines 1033
that I have already voted in this election, my provisional 1034
ballot will not be counted. I understand that, if I am not 1035
currently registered to vote or if I am not registered at my 1036
current address or under my current name, this form will serve 1037
as an application to register to vote or update my registration 1038
for future elections, as long as I provide all of the 1039

information required to register to vote or update my 1040
registration. I further understand that knowingly providing 1041
false information is a violation of law and subjects me to 1042
possible criminal prosecution. 1043

I hereby declare, under penalty of election falsification, 1044
that the above statements are true and correct to the best of my 1045
knowledge and belief. 1046

Signature of Voter 1047
1048

Date 1049
1050

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1051
FELONY OF THE FIFTH DEGREE." 1052

In addition to any information required to be included on 1053
the written affirmation, an individual casting a provisional 1054
ballot may provide additional information to the election 1055
official to assist the board of elections in determining the 1056
individual's eligibility to vote in that election, including the 1057
date and location at which the individual registered to vote, if 1058
known. 1059

If the individual provided all of the information required 1060
under section 3503.14 of the Revised Code to register to vote or 1061
to update the individual's registration on the provisional 1062
ballot affirmation, the board of elections shall consider the 1063
individual's provisional ballot affirmation to also serve as a 1064
notice of change of name, change of residence, or both, or as a 1065
voter registration form, as applicable, for that individual only 1066
for the purposes of future elections. 1067

Sec. 3505.183. (A) When the ballot boxes are delivered to 1068
the board of elections from the precincts, the board shall 1069
separate the provisional ballot envelopes from the rest of the 1070
ballots. Teams of employees of the board consisting of one 1071
member of each major political party shall place the sealed 1072
provisional ballot envelopes in a secure location within the 1073
office of the board. The sealed provisional ballot envelopes 1074
shall remain in that secure location until the validity of those 1075
ballots is determined under division (B) of this section. While 1076
the provisional ballot is stored in that secure location, and 1077
prior to the counting of the provisional ballots, if the board 1078
receives information regarding the validity of a specific 1079
provisional ballot under division (B) of this section, the board 1080
may note, on the sealed provisional ballot envelope for that 1081
ballot, whether the ballot is valid and entitled to be counted. 1082

(B) (1) To determine whether a provisional ballot is valid 1083
and entitled to be counted, the board shall examine its records 1084
and determine whether the individual who cast the provisional 1085
ballot is registered and eligible to vote in the applicable 1086
election. The board shall examine the information contained in 1087
the written affirmation executed by the individual who cast the 1088
provisional ballot under division (B) (2) of section 3505.181 of 1089
the Revised Code. The following information shall be included in 1090
the written affirmation in order for the provisional ballot to 1091
be eligible to be counted: 1092

(a) The individual's printed name, signature, date of 1093
birth, and current address; 1094

(b) A statement that the individual is a registered voter 1095
in the precinct in which the provisional ballot is being voted; 1096

(c) A statement that the individual is eligible to vote in 1097

the election in which the provisional ballot is being voted. 1098

(2) In addition to the information required to be included 1099
in an affirmation under division (B)(1) of this section, in 1100
determining whether a provisional ballot is valid and entitled 1101
to be counted, the board also shall examine any additional 1102
information for determining ballot validity provided by the 1103
provisional voter on the affirmation, provided by the 1104
provisional voter to an election official under section 3505.182 1105
of the Revised Code, or provided to the board of elections 1106
during the four days after the day of the election under 1107
division (B)(7) or (8) of section 3505.181 of the Revised Code, 1108
to assist the board in determining the individual's eligibility 1109
to vote. 1110

(3) If, in examining a provisional ballot affirmation and 1111
additional information under divisions (B)(1) and (2) of this 1112
section and comparing the information required under division 1113
(B)(1) of this section with the individual's information in the 1114
statewide voter registration database, the board determines that 1115
all of the following apply, the provisional ballot envelope 1116
shall be opened, and the ballot shall be placed in a ballot box 1117
to be counted: 1118

(a) The individual named on the affirmation is properly 1119
registered to vote. 1120

(b) The individual named on the affirmation is eligible to 1121
cast a ballot in the precinct and for the election in which the 1122
individual cast the provisional ballot. 1123

(c) The individual provided all of the information 1124
required under division (B)(1) of this section in the 1125
affirmation that the individual executed at the time the 1126

individual cast the provisional ballot. 1127

(d) One of the following applies: 1128

(i) The individual provided photo identification at the 1129
time of casting the provisional ballot or appeared at the office 1130
of the board within four days after the day of the election and 1131
provided photo identification. If the individual provided the 1132
individual's Ohio driver's license or state identification card 1133
or an interim identification form, the individual provided the 1134
individual's driver's license number or state identification 1135
card number and the number is not different from the 1136
individual's driver's license number or state identification 1137
card number contained in the statewide voter registration 1138
database. 1139

(ii) The individual completed an affidavit of religious 1140
objection under section 3505.19 of the Revised Code at the time 1141
of casting the provisional ballot or at the office of the board 1142
within four days after the day of the election and the affidavit 1143
is valid under that section. 1144

(e) Except as otherwise provided in this division, the 1145
month and day of the individual's date of birth are not 1146
different from the day and month of the individual's date of 1147
birth contained in the statewide voter registration database. 1148

This division does not apply to an individual's 1149
provisional ballot if either of the following is true: 1150

(i) The individual's date of birth contained in the 1151
statewide voter registration database is January 1, 1800. 1152

(ii) The board of elections has found, by a vote of at 1153
least three of its members, that the individual has met all 1154
other requirements of division (B) (3) of this section. 1155

(f) The individual's current address is not different from 1156
the individual's address contained in the statewide voter 1157
registration database, unless the individual indicated that the 1158
individual is casting a provisional ballot because the 1159
individual has moved and has not submitted a notice of change of 1160
address, as described in division (A) (6) of section 3505.181 of 1161
the Revised Code. 1162

(g) If applicable, the individual provided any additional 1163
information required under division (B) (8) of section 3505.181 1164
of the Revised Code within four days after the day of the 1165
election. 1166

(h) If applicable, the individual provided the information 1167
required under division (C) (2) of section 3503.201 of the 1168
Revised Code on the provisional ballot affirmation or within 1169
four days after the day of the election. 1170

(4) (a) Except as otherwise provided in division (D) of 1171
this section, if, in examining a provisional ballot affirmation 1172
and additional information under divisions (B) (1) and (2) of 1173
this section and comparing the information required under 1174
division (B) (1) of this section with the individual's 1175
information in the statewide voter registration database, the 1176
board determines that any of the following applies, the 1177
provisional ballot envelope shall not be opened, and the ballot 1178
shall not be counted: 1179

(i) The individual named on the affirmation is not 1180
qualified or is not properly registered to vote. 1181

(ii) The individual named on the affirmation is not 1182
eligible to cast a ballot in the precinct or for the election in 1183
which the individual cast the provisional ballot. 1184

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

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

(v) If applicable, the individual did not provide any additional information required under division (B) (8) of section 3505.181 of the Revised Code within four days after the day of the election.

(vi) The individual failed to provide photo identification, to provide the individual's driver's license or state identification card number if the individual provided photo identification in the form of an Ohio driver's license or state identification card or an interim identification form, or to complete an affidavit of religious objection.

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

(viii) The individual provided photo identification in the form of an Ohio driver's license or state identification card or an interim identification form and the driver's license number or state identification card number the individual provided is different from the individual's driver's license number or state identification card number contained in the statewide voter registration database.

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

(x) Except as otherwise provided in this division, the

month and day of the individual's date of birth are different 1214
from the day and month of the individual's date of birth 1215
contained in the statewide voter registration database. 1216

This division does not apply to an individual's 1217
provisional ballot if either of the following is true: 1218

(I) The individual's date of birth contained in the 1219
statewide voter registration database is January 1, 1800. 1220

(II) The board of elections has found, by a vote of at 1221
least three of its members, that the individual has met all of 1222
the requirements of division (B) (3) of this section, other than 1223
the requirements of division (B) (3) (e) of this section. 1224

(xi) The individual's current address is different from 1225
the individual's address contained in the statewide voter 1226
registration database, unless the individual indicated that the 1227
individual is casting a provisional ballot because the 1228
individual has moved and has not submitted a notice of change of 1229
address, as described in division (A) (6) of section 3505.181 of 1230
the Revised Code. 1231

(xii) If applicable, the individual did not provide the 1232
information required under division (C) (2) of section 3503.201 1233
of the Revised Code on the provisional ballot affirmation or 1234
within four days after the day of the election. 1235

(b) If, in examining a provisional ballot affirmation and 1236
additional information under divisions (B) (1) and (2) of this 1237
section and comparing the information required under division 1238
(B) (1) of this section with the individual's information in the 1239
statewide voter registration database, the board is unable to 1240
determine either of the following, the provisional ballot 1241
envelope shall not be opened, and the ballot shall not be 1242

counted: 1243

(i) Whether the individual named on the affirmation is 1244
qualified or properly registered to vote; 1245

(ii) Whether the individual named on the affirmation is 1246
eligible to cast a ballot in the precinct or for the election in 1247
which the individual cast the provisional ballot. 1248

(C) For each provisional ballot rejected under division 1249
(B) (4) of this section, the board shall record the name of the 1250
provisional voter who cast the ballot, the identification number 1251
of the provisional ballot envelope, the names of the election 1252
officials who determined the validity of that ballot, the date 1253
and time that the determination was made, and the reason that 1254
the ballot was not counted, unless the board has already 1255
recorded that information in another database. 1256

(D) (1) If an individual cast a provisional ballot in a 1257
precinct in which the individual is not registered and eligible 1258
to vote, but in the correct polling location for the precinct in 1259
which the individual is registered and eligible to vote, and the 1260
election official failed to direct the individual to the correct 1261
precinct, the individual's ballot shall be remade under division 1262
(D) (2) of this section. The election official shall be deemed to 1263
have directed the individual to the correct precinct if the 1264
election official correctly completed the form described in 1265
division (C) (2) of section 3505.181 of the Revised Code. 1266

(2) A board of elections that remakes a provisional ballot 1267
under division (D) (1) of this section shall remake the 1268
provisional ballot on a ballot for the appropriate precinct to 1269
reflect the offices, questions, and issues for which the 1270
individual was eligible to cast a ballot and for which the 1271

individual attempted to cast a provisional ballot. The remade 1272
ballot shall be counted for each office, question, and issue for 1273
which the individual was eligible to vote. 1274

(3) If an individual cast a provisional ballot in a 1275
precinct in which the individual is not registered and eligible 1276
to vote and in the incorrect polling location for the precinct 1277
in which the individual is registered and eligible to vote, the 1278
provisional ballot envelope shall not be opened, and the ballot 1279
shall not be counted. 1280

(E) Provisional ballots that are rejected under division 1281
(B) (4) of this section shall not be counted but shall be 1282
preserved in their provisional ballot envelopes unopened until 1283
the time provided by section 3505.31 of the Revised Code for the 1284
destruction of all other ballots used at the election for which 1285
ballots were provided, at which time they shall be destroyed. 1286

(F) Provisional ballots that the board determines are 1287
eligible to be counted under division (B) (3) or (D) of this 1288
section shall be counted in the same manner as provided for 1289
other ballots under section 3505.27 of the Revised Code. No 1290
provisional ballots shall be counted in a particular county 1291
until the board determines the eligibility to be counted of all 1292
provisional ballots cast in that county under division (B) of 1293
this section for that election. Observers, as provided in 1294
section 3505.21 of the Revised Code, may be present at all times 1295
that the board is determining the eligibility of provisional 1296
ballots to be counted and counting those provisional ballots 1297
determined to be eligible. No person shall recklessly disclose 1298
the count or any portion of the count of provisional ballots in 1299
such a manner as to jeopardize the secrecy of any individual 1300
ballot. 1301

(G) (1) Except as otherwise provided in division (G) (2) of 1302
this section, nothing in this section shall prevent a board of 1303
elections from examining provisional ballot affirmations and 1304
additional information under divisions (B) (1) and (2) of this 1305
section to determine the eligibility of provisional ballots to 1306
be counted during the seven days after the day of an election. 1307

(2) A board of elections shall not examine the provisional 1308
ballot affirmation and additional information under divisions 1309
(B) (1) and (2) of this section of any provisional ballot cast by 1310
an individual who must provide photo identification, complete an 1311
affidavit of religious objection, or provide additional 1312
information to the board of elections under division (B) (7) or 1313
(8) of section 3505.181 of the Revised Code for the board to 1314
determine the individual's eligibility until the individual does 1315
so or until the eighth day after the day of the election, 1316
whichever is earlier. 1317

Section 2. That existing sections 3501.01, 3503.151, 1318
3503.19, 3503.21, 3505.181, 3505.182, and 3505.183 of the 1319
Revised Code are hereby repealed. 1320

Section 3. This act shall be known as the Voter 1321
Verification Act. 1322

Section 4. The General Assembly, applying the principle 1323
stated in division (B) of section 1.52 of the Revised Code that 1324
amendments are to be harmonized if reasonably capable of 1325
simultaneous operation, finds that the following sections, 1326
presented in this act as composites of the sections as amended 1327
by the acts indicated, are the resulting versions of the 1328
sections in effect prior to the effective date of the sections 1329
as presented in this act: 1330

Section 3503.21 of the Revised Code as amended by both	1331
H.B. 359 and S.B. 63 of the 131st General Assembly.	1332
Section 3505.183 of the Revised Code as amended by both	1333
H.B. 45 and H.B. 458 of the 134th General Assembly.	1334