

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**H. B. No. 596**

**Representatives Miller, A., Hicks-Hudson**

**Cosponsors: Representatives Crossman, Denson, Lepore-Hagan, Lightbody,  
Miranda, Skindell, Smith, K., Smith, M., Troy, Weinstein**

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**A BILL**

To amend sections 3511.021, 3511.05, 3511.07, 1  
3511.08, 3511.09, 3511.11, and 3511.13 and to 2  
enact section 3511.091 of the Revised Code to 3  
allow certain uniformed services and overseas 4  
absent voters to submit their voted ballots 5  
electronically to the boards of elections. 6

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

**Section 1.** That sections 3511.021, 3511.05, 3511.07, 7  
3511.08, 3511.09, 3511.11, and 3511.13 be amended and section 8  
3511.091 of the Revised Code be enacted to read as follows: 9

**Sec. 3511.021.** (A) (1) The secretary of state shall 10  
establish procedures that allow any person who is eligible to 11  
vote as a uniformed services voter or an overseas voter in 12  
accordance with 42 U.S.C. 1973ff-6 to apply by electronic means 13  
to the office of the secretary of state or to the board of 14  
elections of the county in which the person's voting residence 15  
is located for a uniformed services or overseas absent voter's 16  
ballot. 17

(2) The procedures shall allow such a person who requests a uniformed services or overseas absent voter's ballot application to express a preference for the manner in which the person will receive the requested application, whether by mail, facsimile transmission, electronic mail, or, if offered by the board of elections or the secretary of state, through internet delivery. If the person completes and timely returns the application and the applicant is eligible to receive a ballot, the procedures shall allow the applicant to express a preference for the manner in which the person will receive the requested blank, unvoted ballots, whether by mail, facsimile transmission, electronic mail, or, if offered by the board of elections or the secretary of state, through internet delivery. The requested items shall be transmitted by the board of elections of the county in which the person's voting residence is located by the preferred method. If the requestor does not express a preferred method, the requested items shall be delivered via standard mail.

(3) To the extent practicable, the procedures shall protect the security and integrity of the ballot request and delivery process, and protect the privacy of the identity and personal data of the person when such applications and ballots are requested, processed, and sent.

(4) ~~No~~ Except as permitted under section 3511.091 of the Revised Code, no person shall return by electronic means to the secretary of state, a board of elections, or any other entity a completed or voted uniformed services or overseas absent voter's ballot. If a ballot is ~~so~~ returned in violation of this division, the ballot shall not be accepted, processed, or counted.

(B) (1) The secretary of state, in coordination with the boards of elections, shall establish a free access system by which an absent uniformed services voter or overseas voter may determine the following:

(a) Whether that person's request for a uniformed services or overseas absent voter's ballot was received and processed;

(b) If the person's request was received and processed, when the uniformed services or overseas absent voter's ballot was sent;

(c) Whether ~~any~~ the person's uniformed services or overseas absent voter's ballot ~~returned by that person~~ has been received by election officials;

(d) Whether the board of elections found any error on the identification envelope ~~containing the person's returned~~ uniformed services or overseas absent voter's ballot statement of voter and, if so, how the person may correct any error within ten days after the day of an election; and

(e) Whether the person's uniformed services or overseas absent voter's ballot was counted.

(2) The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information that is confidential under state or federal law that is collected, stored, or otherwise used by the free access system established under division (B) of this section. Access to information about the votes cast on an individual ballot shall be restricted to the person who cast the ballot. To the extent practicable, the procedures shall protect the security and integrity of the process and protect the privacy of the identity

and personal data of the person. 77

**Sec. 3511.05.** ~~(A)~~ (A) (1) The director of the board of 78  
elections shall place uniformed services or overseas absent 79  
voter's ballots sent by mail in an unsealed identification 80  
envelope, gummed ready for sealing. ~~The~~ 81

(2) The director shall include with uniformed services or 82  
overseas absent voter's ballots sent electronically, including 83  
by facsimile machine, an instruction sheet for preparing a 84  
gummed identification envelope in which the ballots shall be 85  
returned and attaching the identification envelope statement of 86  
voter to the face of the identification envelope, if the ballots 87  
are to be returned by mail or by personal delivery. 88

(3) The director shall include with all uniformed services 89  
or overseas absent voter's ballots a copy of the list described 90  
in division (C) of section 3511.091 of the Revised Code and 91  
instructions for the voter, if eligible, to submit the voted 92  
ballots, the identification envelope statement of voter, and any 93  
required additional identification document electronically to 94  
the board of elections under that section. 95

(4) The envelope for returning uniformed services or 96  
overseas absent voter's ballots sent by either means shall have 97  
printed or written on its face be accompanied by a form 98  
substantially as follows, which shall be printed or written on 99  
the face of the identification envelope in the case of ballots 100  
sent to the voter by mail: 101

"Identification Envelope Statement of Voter 102

I, \_\_\_\_\_ (Name of voter), declare under 103  
penalty of election falsification that ~~the within my~~ ballot or 104  
ballots contained no voting marks of any kind when I received 105

them, and I ~~caused~~ marked the ballot or ballots ~~to be marked,~~ 106  
If I am returning my ballot or ballots by mail or personal 107  
delivery, I have enclosed them in the identification envelope, 108  
and sealed ~~in that~~ the envelope. 109

My voting residence in Ohio is 110

\_\_\_\_\_ 111

(Street and Number, if any, or Rural Route and Number) 112

of \_\_\_\_\_ (City, Village, or Township) 113

Ohio, which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_ 114

in that city, village, or township. 115

If I have a confidential voter registration record, I am 116

providing my program participant identification number instead 117

of my residence address: \_\_\_\_\_ 118

~~The~~ If this is a primary election ~~ballots, if any, within~~ 119

~~this envelope are~~ I am casting primary election ballots of the 120

\_\_\_\_\_ Party. 121

~~Ballots contained within this envelope are to be voted at~~ 122

I am casting ballots for the \_\_\_\_\_ (general, special, or 123

primary) election to be held on the \_\_\_\_\_ 124

day of \_\_\_\_\_, \_\_\_\_ 125

My date of birth is \_\_\_\_\_ (Month and Day), 126

\_\_\_\_\_ (Year). 127

(Voter must provide one of the following:) 128

My driver's license number is \_\_\_\_\_ (Driver's 129

license number). 130

The last four digits of my Social Security Number are 131

\_\_\_\_\_ (Last four digits of Social Security Number). 132

\_\_\_\_\_ In lieu of providing a driver's license number or 133  
the last four digits of my Social Security Number, I am 134  
enclosing a copy of one of the following in the return envelope 135  
in which this identification envelope will be mailed or, if I am 136  
submitting my voted ballots electronically, I am including a 137  
copy of one of the following with my submission: a current and 138  
valid photo identification, a military identification, or a 139  
current utility bill, bank statement, government check, 140  
paycheck, or other government document, other than a notice of 141  
voter registration mailed by a board of elections, that shows my 142  
name and address. 143

If I am submitting my voted ballots electronically, I 144  
affirm that I am eligible to do so. 145

I hereby declare, under penalty of election falsification, 146  
that the statements above are true, as I verily believe. 147

\_\_\_\_\_  
(Signature of Voter) 148  
149

\_\_\_\_\_  
(Location of signing) 150  
151

\_\_\_\_\_  
(Local date and time of signing) 152  
153

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 154  
THE FIFTH DEGREE." 155

(B) The director shall also mail with the ballots and the 156  
unsealed identification envelope sent by mail an unsealed return 157  
envelope, gummed, ready for sealing, for use by the voter in 158  
returning the voter's marked ballots to the director. The 159

director shall send with the ballots and the instruction sheet 160  
for preparing a gummed envelope sent electronically, including 161  
by facsimile machine, an instruction sheet for preparing a 162  
second gummed envelope as described in this division, for use by 163  
the voter in returning that voter's marked ballots to the 164  
director. The return envelope shall have two parallel lines, 165  
each one quarter of an inch in width, printed across its face 166  
paralleling the top, with an intervening space of one quarter of 167  
an inch between such lines. The top line shall be one and one- 168  
quarter inches from the top of the envelope. Between the 169  
parallel lines shall be printed: "OFFICIAL ELECTION UNIFORMED 170  
SERVICES OR OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." 171  
Three blank lines shall be printed in the upper left corner on 172  
the face of the envelope for the use by the voter in placing the 173  
voter's complete military, naval, or mailing address on these 174  
lines, ~~and beneath these lines there shall be printed a box~~ 175  
~~beside the words "check if out of country." The voter shall~~ 176  
~~check this box if the voter will be outside the United States on~~ 177  
~~the day of the election.~~ The official title and the post-office 178  
address of the director to whom the envelope shall be returned 179  
shall be printed on the face of such envelope in the lower right 180  
portion below the bottom parallel line. 181

(C) On the back of each identification envelope and each 182  
return envelope shall be printed the following: 183

"Instructions to voter: 184

If the flap on this envelope is so firmly stuck to the 185  
back of the envelope when received by you as to require forcible 186  
opening in order to use it, open the envelope in the manner 187  
least injurious to it, and, after marking your ballots and 188  
enclosing same in the envelope for mailing them to the director 189

of the board of elections, reclose the envelope in the most 190  
practicable way, by sealing or otherwise, and sign the blank 191  
form printed below. 192

The flap on this envelope was firmly stuck to the back of 193  
the envelope when received, and required forced opening before 194  
sealing and mailing. 195

\_\_\_\_\_ 196

(Signature of voter)" 197

(D) Division (C) of this section does not apply when 198  
absent voter's ballots are sent electronically, including by 199  
facsimile machine. 200

(E) Except as otherwise provided in this division and in 201  
sections 3505.24 and 3509.08 of the Revised Code, an election 202  
official shall not fill out any portion of an identification 203  
envelope statement of voter or an absent voter's ballot on 204  
behalf of an elector. A board of elections may preprint only an 205  
elector's name and address on an identification envelope 206  
statement of voter before mailing or electronically transmitting 207  
absent voter's ballots to the elector, except that if the 208  
elector has a confidential voter registration record, as 209  
described in section 111.44 of the Revised Code, the board of 210  
elections shall not preprint the elector's address on the 211  
identification envelope statement of voter. 212

**Sec. 3511.07.** When mailing unsealed identification 213  
envelopes and unsealed return envelopes to persons, the director 214  
of the board of elections shall insert a sheet of waxed paper or 215  
other appropriate insert between the gummed flap and the back of 216  
each of such envelopes to minimize the possibility that the flap 217  
may become firmly stuck to the back of the envelope by reason of 218



moisture, humid atmosphere, or other conditions to which they 219  
may be subjected. If the flap on either of such envelopes should 220  
be so firmly stuck to the back of the envelope when it is 221  
received by the voter as to require forcible opening of the 222  
envelope in order to use it, the voter shall open such envelope 223  
in the manner least injurious to it, ~~and~~. If the voter is 224  
returning the voter's ballots by mail or personal delivery, 225  
after marking ~~his~~ the voter's ballots and enclosing them in the 226  
envelope for mailing to the director, ~~he~~ the voter shall reclose 227  
such envelope in the most practicable way, by sealing it or 228  
otherwise, and shall sign the blank form printed on the back of 229  
such envelope. 230

**Sec. 3511.08.** The director of the board of elections shall 231  
keep a record of the name and address of each person to whom the 232  
director mails or delivers uniformed services or overseas absent 233  
voter's ballots, the kinds of ballots so mailed or delivered, 234  
and the name and address of the person who made the application 235  
for such ballots. After the director has mailed or delivered 236  
such ballots the director shall not mail or deliver additional 237  
ballots of the same kind to such person pursuant to a subsequent 238  
request unless such subsequent request contains the statement 239  
that an earlier request had been sent to the director prior to 240  
the thirtieth day before the election and that the uniformed 241  
services or overseas absent voter's ballots so requested had not 242  
been received by such person prior to the fifteenth day before 243  
the election, and provided that the director has not received ~~an~~ 244  
~~identification envelope purporting to contain marked~~ uniformed 245  
services or overseas absent voter's ballots ~~from such~~ purporting 246  
to be cast by the person. 247

**Sec. 3511.09.** (A) (1) Upon receiving uniformed services or 248  
overseas absent voter's ballots, the elector shall ~~cause the~~ 249

~~answer the questions on the face of the~~ identification envelope 250  
~~to be answered, statement of voter and,~~ by writing the elector's 251  
usual signature in the proper place on the identification 252  
envelope statement of voter, the elector shall declare under 253  
penalty of election falsification that the answers to those 254  
questions are true and correct to the best of the elector's 255  
knowledge and belief. ~~Then, the~~ If the elector does not provide 256  
the elector's driver's license number or the last four digits of 257  
the elector's social security number on the statement of voter 258  
on the identification envelope, the elector shall submit a copy 259  
of the elector's current valid photo identification, a copy of a 260  
military identification, or a copy of a current utility bill, 261  
bank statement, government check, paycheck, or other government 262  
document, other than a notice of voter registration mailed by a 263  
board of elections under section 3503.19 of the Revised Code, 264  
that shows the name and address of the elector. 265

(2) The elector shall note whether there are any voting 266  
marks on the ballot. If there are any voting marks, the ballot 267  
shall be returned immediately to the board of elections; 268  
otherwise, the elector shall ~~cause mark~~ the ballot ~~to be marked,~~ 269  
~~folded.~~ 270

(B) (1) Except as otherwise permitted under division (B) (2) 271  
of this section, the elector then shall fold the ballot 272  
separately so as to conceal the markings on it, ~~deposited-~~ 273  
deposit it in the identification envelope, and securely ~~sealed-~~ 274  
~~in seal~~ the identification envelope. The elector then shall 275  
~~cause place~~ the identification envelope ~~to be placed~~ within the 276  
return envelope along with any required additional 277  
identification document, as described in division (A) (1) of this 278  
section, sealed in seal the return envelope, and ~~mailed mail it~~ 279  
to the director of the board of elections to whom it is 280

addressed. The ballot shall be submitted for mailing not later 281  
than ~~12:01 a.m. at the place where the voter completes the~~ 282  
~~ballot, the close of the polls~~ on the date of the election. ~~If~~ 283  
~~the elector does not provide the elector's driver's license~~ 284  
~~number or the last four digits of the elector's social security~~ 285  
~~number on the statement of voter on the identification envelope,~~ 286  
~~the elector also shall include in the return envelope with the~~ 287  
~~identification envelope a copy of the elector's current valid~~ 288  
~~photo identification, a copy of a military identification, or a~~ 289  
~~copy of a current utility bill, bank statement, government~~ 290  
~~check, paycheck, or other government document, other than a~~ 291  
~~notice of voter registration mailed by a board of elections~~ 292  
~~under section 3503.19 of the Revised Code, that shows the name~~ 293  
~~and address of the elector. Each elector who will be outside the~~ 294  
~~United States on the day of the election shall check the box on~~ 295  
~~the return envelope indicating this fact and shall mail the~~ 296  
~~return envelope to the director prior to the close of the polls~~ 297  
~~on election day.~~ 298

~~Every uniformed services or overseas absent voter's ballot~~ 299  
~~identification envelope shall be accompanied by the following~~ 300  
~~statement in boldface capital letters: WHOEVER COMMITS ELECTION~~ 301  
~~FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.~~ 302

(2) If the elector is eligible to do so, the elector 303  
instead may submit the elector's ballot electronically to the 304  
board of elections under section 3511.091 of the Revised Code. 305  
The elector shall submit the elector's ballot, the completed 306  
identification envelope statement of voter, and any required 307  
additional identification document, as described in division (A) 308  
(1) of this section, not later than the close of the polls on 309  
the date of the election. 310

Sec. 3511.091. (A) The secretary of state shall prescribe 311  
one or more secure and private methods for an elector described 312  
in division (B) of this section to submit the elector's voted 313  
uniformed services or overseas absent voter's ballots by 314  
electronic means to the appropriate board of elections, in 315  
accordance with section 3511.09 of the Revised Code. 316

(B) An elector to whom both of the following apply may 317  
submit the elector's voted absent voter's ballots electronically 318  
to the appropriate board of elections under division (A) of this 319  
section: 320

(1) The elector is one of the following: 321

(a) A uniformed services voter; 322

(b) An overseas voter who is an employee or contractor of 323  
the United States government or who is a spouse or dependent of 324  
such an overseas voter. 325

(2) Any of the following apply to the elector at the time 326  
the elector applies to vote by absent voter's ballots or at any 327  
time after the elector applies, through the close of the polls 328  
on the day of the election: 329

(a) The elector is a uniformed services voter or overseas 330  
voter who serves, works, or stays in an area currently 331  
designated as a combat zone by executive order of the president 332  
of the United States. 333

(b) The elector is a uniformed services voter whose 334  
current service is designated by the United States department of 335  
defense as being in direct support of military operations in a 336  
combat zone. 337

(c) The elector is a uniformed services voter whose 338

current service qualifies for hazardous duty pay under 339  
subsection (a) (1) or (3) of 37 U.S.C. 351. 340

(d) The secretary of state determines that, because of 341  
circumstances related to the elector's status described in 342  
division (B) (1) of this section, it is impracticable for the 343  
elector to return the elector's absent voter's ballots to the 344  
appropriate board of elections by mail or by personal delivery. 345

(C) Not later than the sixtieth day before the day of an 346  
election, the secretary of state shall compile a list of the 347  
following, shall make the list available to the boards of 348  
elections and to the public on the secretary of state's official 349  
web site, and shall update the list as needed through the close 350  
of the polls on the day of the election: 351

(1) All areas that are currently designated as combat 352  
zones by executive order of the president of the United States; 353

(2) All categories of current service that are designated 354  
by the United States department of defense as being in direct 355  
support of military operations in a combat zone; 356

(3) All categories of current service that qualify for 357  
hazardous duty pay under subsection (a) (1) or (3) of 37 U.S.C. 358  
351; 359

(4) Any additional category of electors described in 360  
division (B) (1) of this section for whom the secretary of state 361  
determines that, because of circumstances related to the 362  
elector's status described in that division, it is impracticable 363  
to return the elector's absent voter's ballots to the 364  
appropriate board of elections by mail or by personal delivery. 365

**Sec. 3511.11.** ~~(A)~~ (A) (1) Upon receipt of any return 366  
envelope bearing the designation "Official Election Uniformed 367

Services or Overseas Absent Voter's Ballot" prior to the 368  
eleventh day after the day of any election, the director of the 369  
board of elections shall open it but shall not open the 370  
identification envelope contained in it. If, upon so opening the 371  
return envelope, the director finds ballots in it that are not 372  
enclosed in and properly sealed in the identification envelope, 373  
the director shall not look at the markings upon the ballots and 374  
shall promptly place them in the identification envelope and 375  
promptly seal it. If, upon so opening the return envelope, the 376  
director finds that ballots are enclosed in the identification 377  
envelope but that it is not properly sealed, the director shall 378  
not look at the markings upon the ballots and shall promptly 379  
seal the identification envelope. 380

(2) Upon receiving voted uniformed services or overseas 381  
absent voter's ballots electronically under section 3511.091 of 382  
the Revised Code, a bipartisan team of election officials shall 383  
do all of the following in accordance with procedures prescribed 384  
by the secretary of state: 385

(a) Print or otherwise create a faithful paper version of 386  
the marked ballots, the completed identification envelope 387  
statement of voter, and any additional identification document 388  
submitted with the ballots and refrain from disclosing the 389  
markings on the ballots to any person; 390

(b) Attach the identification envelope statement of voter 391  
to the face of an identification envelope and seal the ballots 392  
in the envelope; 393

(c) Attach any additional identification document 394  
submitted with the ballots to the identification envelope. 395

(B) Uniformed services or overseas absent voter's ballots 396

delivered to the director or received electronically by the 397  
board of elections not later than the close of the polls on 398  
election day shall be processed and counted in the manner 399  
provided in section 3509.06 of the Revised Code. 400

~~(C)(1)~~ (1) A return envelope is not required to be 401  
postmarked in order for a uniformed services or overseas absent 402  
voter's ballot contained in it to be valid. Except as otherwise 403  
provided in ~~this division~~ (D) of this section, whether or not 404  
the return envelope containing the ballot is postmarked, 405  
contains a late postmark, or contains an illegible postmark, a 406  
uniformed services or overseas absent voter's ballot that is 407  
received after the close of the polls on election day through 408  
the tenth day after the election day shall be processed and 409  
counted on the eleventh day after the election day at the office 410  
of the board of elections in the manner provided in section 411  
3509.06 of the Revised Code ~~if the voter signed the~~ 412  
~~identification envelope by the time specified in section 3511.09~~ 413  
~~of the Revised Code. However, if a return envelope containing a~~ 414  
~~uniformed services or overseas absent voter's ballot is so~~ 415  
~~received and so indicates, but the identification envelope in it~~ 416  
~~is signed after the close of the polls on election day, the~~ 417  
~~uniformed services or overseas absent voter's ballot shall not~~ 418  
~~be counted.~~ 419

(2) Except as otherwise provided in division (D) of this 420  
section, a uniformed services or overseas absent voter's ballot 421  
that is received electronically by the board of elections after 422  
the close of the polls on election day through the tenth day 423  
after the election day shall be processed and counted on the 424  
eleventh day after the election day at the office of the board 425  
of elections in the manner provided in section 3509.06 of the 426  
Revised Code. 427

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

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

(2) Uniformed services or overseas absent voter's ballots  
~~contained in return envelopes that bear that designation and~~  
that are delivered to the director or received electronically by  
the board of elections after the tenth day following the  
election.

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

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

~~(B)(1)~~ (B) If a registered elector appears to vote in that  
precinct and that elector has requested a uniformed services or  
overseas absent voter's ballot for that election ~~but the~~  
~~director has not received a sealed identification envelope~~



~~purporting to contain that elector's voted uniformed services or~~ 457  
~~overseas absent voter's ballots for that election,~~ the elector 458  
shall be permitted to cast a provisional ballot under section 459  
3505.181 of the Revised Code in that precinct on the day of that 460  
election, regardless of whether the board of elections has 461  
received a voted uniformed services or overseas absent voter's 462  
ballot purporting to be cast by the elector. 463

~~(2) If a registered elector appears to vote in that~~ 464  
~~precinct and that elector has requested a uniformed services or~~ 465  
~~overseas absent voter's ballot for that election and the~~ 466  
~~director has received a sealed identification envelope~~ 467  
~~purporting to contain that elector's voted uniformed services or~~ 468  
~~overseas absent voter's ballots for that election,~~ the elector 469  
shall be permitted to cast a provisional ballot under section 470  
3505.181 of the Revised Code in that precinct on the day of that 471  
election. 472

(C) (1) In counting uniformed services or overseas absent 473  
voter's ballots under section 3511.11 of the Revised Code, the 474  
board of elections shall compare the signature ~~of each elector~~ 475  
~~from whom the director has received a sealed~~ on the 476  
identification envelope ~~purporting to contain that elector's~~ 477  
~~voted uniformed services or overseas absent voter's ballots for~~ 478  
~~that election~~ statement of voter to the signature on the 479  
elector's registration form. Except as otherwise provided in 480  
division (C) (3) of this section, if the board of elections 481  
determines that the uniformed services or overseas absent 482  
voter's ballot ~~in the sealed identification envelope~~ is valid, 483  
it shall be counted. If the board of elections determines that 484  
the signature on the ~~sealed~~ identification envelope ~~purporting~~ 485  
~~to contain the elector's voted uniformed services or overseas~~ 486  
~~absent voter's ballot~~ statement of voter does not match the 487

signature on the elector's registration form, the ballot shall 488  
be set aside and the board shall examine, during the time prior 489  
to the beginning of the official canvass, the poll list or 490  
signature pollbook from the precinct in which the elector is 491  
registered to vote to determine if the elector ~~also~~ cast a 492  
provisional ballot under section 3505.181 of the Revised Code in 493  
that precinct on the day of the election. 494

(2) ~~The~~ If the elector cast a provisional ballot in the 495  
precinct on the day of the election and the provisional ballot 496  
is otherwise determined to be valid pursuant to section 3505.183 497  
of the Revised Code, the board of elections shall count the 498  
provisional ballot, instead of ~~the~~ any uniformed services or 499  
overseas absent voter's ballot, ~~of an elector from whom the~~ 500  
~~director has received an identification envelope purporting to~~ 501  
~~contain that elector's voted uniformed services or overseas~~ 502  
~~absent voter's ballots~~ be cast by the elector, if ~~both~~ either of 503  
the following apply: 504

(a) The board of elections determines that the signature 505  
~~of the elector on the outside of the identification envelope in~~ 506  
~~which the uniformed services or overseas absent voter's ballots~~ 507  
~~are enclosed~~ statement of voter does not match the signature of 508  
the elector on the elector's registration form; 509

(b) ~~The elector cast a provisional ballot in the precinct~~ 510  
~~on the day of the election.~~ 511

~~(3) If the board of elections does not receive the sealed~~ 512  
~~identification envelope purporting to contain the elector's~~ 513  
~~voted a~~ uniformed services or overseas absent voter's ballot 514  
purporting to be cast by the elector ~~by the applicable deadline~~ 515  
~~established under section 3511.11 of the Revised Code, the~~ 516  
~~provisional ballot cast under section 3505.181 of the Revised~~ 517

~~Code in that precinct on tenth day after the day of the~~ 518  
~~election shall be counted as valid, if that provisional ballot~~ 519  
~~is otherwise determined to be valid pursuant to section 3505.183~~ 520  
~~of the Revised Code.~~ 521

(D) If the board of elections counts a provisional ballot 522  
under division (C) (2) ~~or (3)~~ of this section, the ~~returned~~ 523  
identification envelope ~~of containing a uniformed services or~~ 524  
~~overseas absent voter's ballot cast by~~ that elector shall not be 525  
opened, and the ballot ~~within that envelope~~ shall not be 526  
counted. The identification envelope shall be endorsed "Not 527  
Counted" with the reason the ballot was not counted. 528

**Section 2.** That existing sections 3511.021, 3511.05, 529  
3511.07, 3511.08, 3511.09, 3511.11, and 3511.13 of the Revised 530  
Code are hereby repealed. 531