

**ELECTION LAW (Mecklenborg, Blessing)** To revise the Election Law.

**This Act had been signed by the Governor.** Page numbers will not correspond with the final printed version, but the languages remain the same.

**Passed : June 23, 2011**

**Signed by the Governor: July 1, 2011**

**Effective: September 30, 2011**

## **129<sup>th</sup> General Assembly**

### **Amended Substitute House Bill Number 194**

#### **An Act**

**Representatives:** Mecklenborg, Blessing, Combs, Anielski, Baker, Boose, Brenner, Bulp, Buchy, Coley, Grossman, Hackett, Huffman, Maag, Martin, Newbold, Slaby, Uecker Speaker Batchelder

**Senators:** Faber, Bacon, Beagle, Coley, Hite, Jones, Jordan, Lehner, Niehaus, Schaffer, Seitz, Widener

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#### **A BILL**

To amend sections 3.02, 7.101, 302.09, 305.02,	1
503.24, 511.27, 733.31, 1545.21, 1901.10, 2101.44,	2
2301.02, 3501.01, 3501.02, 3501.05, 3501.051,	3
3501.053, 3501.10, 3501.11, 3501.13, 3501.14,	4
3501.17, 3501.18, 3501.20, 3501.22, 3501.26,	5
3501.27, 3501.28, 3501.29, 3501.30, 3501.301,	6
3501.31, 3501.32, 3501.33, 3501.35, 3501.37,	7
3501.38, 3503.02, 3503.06, 3503.14, 3503.15,	8
3503.16, 3503.18, 3503.19, 3503.21, 3503.24,	9
3503.26, 3503.28, 3504.02, 3504.04, 3504.05,	10
3505.07, 3505.08, 3505.11, 3505.13, 3505.16,	11
3505.17, 3505.18, 3505.181, 3505.182, 3505.183,	12
3505.20, 3505.21, 3505.23, 3505.24, 3505.26,	13
3505.28, 3505.29, 3505.30, 3505.31, 3506.05,	14

3506.12, 3506.15, 3509.01, 3509.02, 3509.03,	15
3509.031, 3509.04, 3509.05, 3509.06, 3509.07,	16
3509.08, 3509.09, 3511.02, 3511.04, 3511.05,	17
3511.06, 3511.07, 3511.08, 3511.09, 3511.10,	18
3511.11, 3511.13, 3511.14, 3513.02, 3513.05,	19
3513.12, 3513.131, 3513.18, 3513.19, 3513.21,	20
3513.262, 3513.30, 3513.31, 3515.04, 3517.01,	21
3517.012, 3517.014, 3517.015, 3517.10, 3517.102,	22
3517.103, 3517.106, 3517.107, 3517.1011, 3517.11,	23
3517.153, 3517.154, 3517.155, 3517.992, 3519.01,	24
3519.16, 3599.03, 3599.07, 3599.17, 3599.19, and	25
3599.31, to enact new section 3504.01 and sections	26
3501.111, 3501.302, 3501.40, 3501.50, 3503.05,	27
3503.20, 3503.22, 3505.05, 3506.021, 3509.051,	28
3517.211, and 3599.30, and to repeal sections	29
3503.29, 3504.01, 3506.16, 3517.016, and 3517.1010	30
of the Revised Code to revise the Election Law.	31

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

<b>Section 1.</b> That sections 7.101, 511.27, 1545.21, 2101.44,	32
3501.01, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 3501.13,	33
3501.14, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 3501.27,	34
3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 3501.33,	35
3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 3503.15,	36
3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 3503.28,	37
3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 3505.13,	38
3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20,	39
3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30,	40
3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 3509.03,	41
3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09,	42
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3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.05, 3513.12,	44
3513.131, 3513.18, 3513.19, 3513.21, 3513.262, 3513.30, 3515.04,	45
3517.01, 3517.012, 3517.014, 3517.015, 3517.10, 3517.102,	46

3517.103, 3517.106, 3517.107, 3517.1011, 3517.11, 3517.153, 47  
3517.154, 3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 48  
3599.17, 3599.19, and 3599.31 be amended and new section 3504.01 49  
and sections 3501.111, 3501.302, 3501.40, 3501.50, 3503.05, 50  
3503.20, 3503.22, 3505.05, 3506.021, 3509.051, 3517.211, and 51  
3599.30 of the Revised Code be enacted to read as follows: 52

**Sec. 7.101.** For publication of proposed amendments to the 53  
Ohio ~~constitution~~Constitution, ballot language, and explanations 54  
and arguments both for and against proposed amendments, referenda, 55  
or laws proposed by initiative petitions, publishers of newspapers 56  
may charge and receive rates charged on annual contracts by them 57  
for a like amount of space to other advertisers who advertise in 58  
its general display advertising columns. 59

Legal advertising of proposed amendments to the constitution 60  
shall be printed in display form and shall meet the following 61  
specifications. The advertisements shall contain a headline 62  
entitled "proposed amendment to the Ohio ~~constitution~~ 63  
Constitution" printed in not smaller than thirty-point type. The 64  
ballot language, and explanations and arguments both for and 65  
against the proposed amendments, shall be printed in type not 66  
smaller than ~~ten-point~~eight-point type. For referenda and laws 67  
proposed by initiative petitions, the advertisement shall contain 68  
a headline entitled "referendum" or, when appropriate, "proposed 69  
law" printed in not smaller than thirty-point type. All 70  
advertisements shall contain such normal spaces and blanks as 71  
contribute to clarity and understanding and the entire section of 72  
each publication shall be enclosed by a black border line of the 73  
same point type size as corresponds to the type size of the ballot 74  
language. The notice shall be printed in two or more columns if 75  
necessary to contribute to clarity or understanding or if 76  
necessary to accommodate the black border outline. 77

All legal advertisements or notices under this section shall 78  
be printed in newspapers published in the English language only. 79

**Sec. 511.27.** (A) To defray the expenses of the township park 80

district and for purchasing, appropriating, operating, 81  
maintaining, and improving lands for parks or recreational 82  
purposes, the board of park commissioners may levy a sufficient 83  
tax within the ten-mill limitation, not to exceed one mill on each 84  
dollar of valuation on all real and personal property within the 85  
township, and on all real and personal property within any 86  
municipal corporation that is within the township, that was within 87  
the township at the time that the park district was established, 88  
or the boundaries of which are coterminous with or include the 89  
township. The levy shall be over and above all other taxes and 90  
limitations on such property authorized by law. 91

(B) Except as otherwise provided in division (C) of this 92  
section, the board of park commissioners, not less than ninety 93  
days before the day of the election, may declare by resolution 94  
that the amount of taxes that may be raised within the ten-mill 95  
limitation will be insufficient to provide an adequate amount for 96  
the necessary requirements of the district and that it is 97  
necessary to levy a tax in excess of that limitation for the use 98  
of the district. The resolution shall specify the purpose for 99  
which the taxes shall be used, the annual rate proposed, and the 100  
number of consecutive years the levy will be in effect. Upon the 101  
adoption of the resolution, the question of levying the taxes 102  
shall be submitted to the electors of the township and the 103  
electors of any municipal corporation that is within the township, 104  
that was within the township at the time that the park district 105  
was established, or the boundaries of which are coterminous with 106  
or include the township, at a special election to be held on 107  
whichever of the following occurs first: 108

(1) The day of the next ensuing general election; 109

(2) ~~The first Tuesday after the first Monday in May of any~~ 110  
~~calendar year, except that, if a presidential day of the next~~ 111  
~~ensuing primary election is held in that calendar year, then the~~ 112  
~~day of that election.~~ 113

The rate submitted to the electors at any one election shall 114

not exceed two mills annually upon each dollar of valuation. If a  
majority of the electors voting upon the question of the levy vote  
in favor of the levy, the tax shall be levied on all real and  
personal property within the township and on all real and personal  
property within any municipal corporation that is within the  
township, that was within the township at the time that the park  
district was established, or the boundaries of which are  
coterminous with or include the township, and the levy shall be  
over and above all other taxes and limitations on such property  
authorized by law.

(C) In any township park district that contains only  
unincorporated territory, if the township board of park  
commissioners is appointed by the board of township trustees,  
before a tax can be levied and certified to the county auditor  
pursuant to section 5705.34 of the Revised Code or before a  
resolution for a tax levy can be certified to the board of  
elections pursuant to section 511.28 of the Revised Code, the  
board of park commissioners shall receive approval for its levy  
request from the board of township trustees. The board of park  
commissioners shall adopt a resolution requesting the board of  
township trustees to approve the levy request, stating the annual  
rate of the proposed levy and the reason for the levy request. On  
receiving this request, the board of township trustees shall vote  
on whether to approve the request and, if a majority votes to  
approve it, shall issue a resolution approving the levy at the  
requested rate.

**Sec. 1545.21.** The board of park commissioners, by  
resolution, may submit to the electors of the park district the  
question of levying taxes for the use of the district. The  
resolution shall declare the necessity of levying such taxes,  
shall specify the purpose for which such taxes shall be used, the  
annual rate proposed, and the number of consecutive years the rate  
shall be levied. Such resolution shall be forthwith certified to  
the board of elections in each county in which any part of such  
district is located, not later than the ninetieth day before the  
day of the election, and the question of the levy of taxes as

provided in such resolution shall be submitted to the electors of 151  
the district at a special election to be held on whichever of the 152  
following occurs first: 153

(A) The day of the next general election; 154

(B) ~~The first Tuesday after the first Monday in May in any~~ 155  
~~calendar year, except that if a presidential day of the next~~ 156  
~~primary election is held in that calendar year, then the day of~~ 157  
~~that election. The~~ 158

The ballot shall set forth the purpose for which the taxes 159  
shall be levied, the annual rate of levy, and the number of years 160  
of such levy. If the tax is to be placed on the current tax list, 161  
the form of the ballot shall state that the tax will be levied in 162  
the current tax year and shall indicate the first calendar year 163  
the tax will be due. If the resolution of the board of park 164  
commissioners provides that an existing levy will be canceled upon 165  
the passage of the new levy, the ballot may include a statement 166  
that: "an existing levy of ... mills (stating the original levy 167  
millage), having ... years remaining, will be canceled and 168  
replaced upon the passage of this levy." In such case, the ballot 169  
may refer to the new levy as a "replacement levy" if the new 170  
millage does not exceed the original millage of the levy being 171  
canceled or as a "replacement and additional levy" if the new 172  
millage exceeds the original millage of the levy being canceled. 173  
If a majority of the electors voting upon the question of such 174  
levy vote in favor thereof, such taxes shall be levied and shall 175  
be in addition to the taxes authorized by section 1545.20 of the 176  
Revised Code, and all other taxes authorized by law. The rate 177  
submitted to the electors at any one time shall not exceed two 178  
mills annually upon each dollar of valuation. When a tax levy has 179  
been authorized as provided in this section or in section 1545.041 180  
of the Revised Code, the board of park commissioners may issue 181  
bonds pursuant to section 133.24 of the Revised Code in 182  
anticipation of the collection of such levy, provided that such 183  
bonds shall be issued only for the purpose of acquiring and 184  
improving lands. Such levy, when collected, shall be applied in 185

payment of the bonds so issued and the interest thereon. The 186  
amount of bonds so issued and outstanding at any time shall not 187  
exceed one per cent of the total tax valuation in such district. 188  
Such bonds shall bear interest at a rate not to exceed the rate 189  
determined as provided in section 9.95 of the Revised Code. 190

**Sec. 2101.44.** The election upon the question of combining 191  
the probate court and the court of common pleas shall be conducted 192  
as provided for the election of county officers. 193

The board of ~~election~~elections shall provide separate 194  
ballots, ~~ballet boxes~~, tally sheets, blanks, stationery, and all 195  
such other supplies as may be necessary in the conduct of such 196  
election. 197

Ballots shall be printed with an affirmative and negative 198  
statement thereon, as follows: 199

200

The probate court and the 201  
court of common pleas shall be  
combined.

The probate court and the 202  
court of common pleas shall  
not be combined.

203

Returns of said election shall be made and canvassed at the 204  
same time and in the same manner as an election for county 205  
officers. The board shall certify the result of said election to 206  
the secretary of state, to the probate judge of said county, and 207  
to the judge of the court of common pleas, and such result shall 208  
be spread upon the journal of the probate court and of the court 209  
of common pleas. 210

If a majority of the votes cast at such an election are in 211  
favor of combining said courts, such courts shall stand combined 212  
upon determination of the fact that a majority of the persons 213

voting upon the question of the combination of such courts voted 214  
in favor of such combination. 215

**Sec. 3501.01.** As used in the sections of the Revised Code 216  
relating to elections and political communications: 217

(A) "General election" means the election held on the first 218  
Tuesday after the first Monday in each November. 219

(B) "Regular municipal election" means the election held on 220  
the first Tuesday after the first Monday in November in each 221  
odd-numbered year. 222

(C) "Regular state election" means the election held on the 223  
first Tuesday after the first Monday in November in each 224  
even-numbered year. 225

(D) "Special election" means any election other than those 226  
elections defined in other divisions of this section. A special 227  
election may be held only on the first Tuesday after the first 228  
Monday in February, May, August, or November, or on the day 229  
authorized by a particular municipal or county charter for the 230  
holding of a primary election, ~~except that in any year in which a~~ 231  
~~presidential primary election is held, no special election shall~~ 232  
~~be held in February or May, except as authorized by a municipal or~~ 233  
~~county charter, but may be held on the first Tuesday after the~~ 234  
~~first Monday in March.~~ 235

(E)(1) "Primary" or "primary election" means an election held 236  
for the purpose of nominating persons as candidates of political 237  
parties for election to offices, and for the purpose of electing 238  
persons as members of the controlling committees of political 239  
parties and as delegates and alternates to the conventions of 240  
political parties. Primary elections shall be held on the first 241  
Tuesday after the first Monday in May of each year ~~except in years~~ 242  
~~in which a presidential primary election is held.~~ 243

(2) "Presidential primary election" means a primary election 244  
as defined by division (E)(1) of this section at which an election 245



is held for the purpose of choosing delegates and alternates to 246  
the national conventions of the major political parties pursuant 247  
to section 3513.12 of the Revised Code. Unless otherwise 248  
specified, presidential primary elections are included in 249  
references to primary elections. ~~In years in which a presidential~~ 250  
~~primary election is held, all primary elections shall be held on~~ 251  
~~the first Tuesday after the first Monday in March except as~~ 252  
~~otherwise authorized by a municipal or county charter.~~ 253

(F) "Political party" means any group of voters meeting the 254  
requirements set forth in section 3517.01 of the Revised Code for 255  
the formation and existence of a political party. 256

(1) "Major political party" means any political party 257  
organized under the laws of this state whose candidate for 258  
governor or nominees for presidential electors received no less 259  
than twenty per cent of the total vote cast for such office at the 260  
most recent regular state election. 261

(2) "Intermediate political party" means any political party 262  
organized under the laws of this state whose candidate for 263  
governor or nominees for presidential electors received less than 264  
twenty per cent but not less than ten per cent of the total vote 265  
cast for such office at the most recent regular state election. 266

(3) "Minor political party" means any political party 267  
organized under the laws of this state whose candidate for 268  
governor or nominees for presidential electors received less than 269  
ten per cent but not less than five per cent of the total vote 270  
cast for such office at the most recent regular state election or 271  
which has filed with the secretary of state, subsequent to any 272  
election in which it received less than five per cent of such 273  
vote, a petition signed by qualified electors equal in number to 274  
at least one per cent of the total vote cast for such office in 275  
the last preceding regular state election, except that a newly 276  
formed political party shall be known as a minor political party 277  
until the time of the first election for governor or president 278  
which occurs not less than twelve months subsequent to the 279

formation of such party, after which election the status of such  
party shall be determined by the vote for the office of governor  
or president.

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

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

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

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

(K) "Party candidate" means any candidate who claims to be a  
member of a political party, whose name has been certified on the  
office-type ballot at a general or special election through the  
filing of a declaration of candidacy and petition of candidate,

and who has won the primary election of the candidate's party for 314  
the public office the candidate seeks or is selected by party 315  
committee in accordance with section 3513.31 of the Revised Code. 316

(L) "Officer of a political party" includes, but is not 317  
limited to, any member, elected or appointed, of a controlling 318  
committee, whether representing the territory of the state, a 319  
district therein, a county, township, a city, a ward, a precinct, 320  
or other territory, of a major, intermediate, or minor political 321  
party. 322

(M) "Question or issue" means any question or issue certified 323  
in accordance with the Revised Code for placement on an official 324  
ballot at a general or special election to be held in this state. 325

(N) "Elector" or "qualified elector" means a person having 326  
the qualifications provided by law to be entitled to vote. 327

(O) "Voter" means an elector who votes at an election. 328

(P) "Voting residence" means that place of residence of an 329  
elector which shall determine the precinct in which the elector 330  
may vote. 331

(Q) "Precinct" means a district within a county established 332  
by the board of elections of such county within which all 333  
qualified electors having a voting residence therein may vote at 334  
the same polling place. 335

(R) "Polling place" means that place provided for each 336  
precinct at which the electors having a voting residence in such 337  
precinct may vote. 338

(S) "Board" or "board of elections" means the board of 339  
elections appointed in a county pursuant to section 3501.06 of the 340  
Revised Code. 341

(T) "Political subdivision" means a county, township, city, 342  
village, or school district. 343

(U) "Election officer" or "election official" means any of the following:	344 345
(1) Secretary of state;	346
(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;	347 348 349 350
(3) Director of a board of elections;	351
(4) Deputy director of a board of elections;	352
(5) Member of a board of elections;	353
(6) Employees of a board of elections;	354
(7) Precinct <del>polling place judges</del> <u>election officials</u> ;	355
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	356 357
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	358 359 360 361 362 363 364
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	365 366 367 368
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides	369 370

state-funded programs primarily engaged in providing services to 371  
persons with disabilities and that is required by the National 372  
Voter Registration Act of 1993 to implement a program designed and 373  
administered by the secretary of state for registering voters, or 374  
any other public or government office or agency that implements a 375  
program designed and administered by the secretary of state for 376  
registering voters, including the department of job and family 377  
services, the program administered under section 3701.132 of the 378  
Revised Code by the department of health, the department of mental 379  
health, the department of developmental disabilities, the 380  
rehabilitation services commission, and any other agency the 381  
secretary of state designates. "Designated agency" does not 382  
include public high schools and vocational schools, public 383  
libraries, or the office of a county treasurer. 384

(Y) "National Voter Registration Act of 1993" means the 385  
"National Voter Registration Act of 1993," 107 Stat. 77, 42 386  
U.S.C.A. 1973gg. 387

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 388  
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 389

(AA) "Photo identification" means a document that meets each 390  
of the following requirements: 391

(1) It shows the name of the individual to whom it was 392  
issued, which shall conform to the name in the poll list or 393  
signature pollbook. 394

(2) It shows the current address of the individual to whom it 395  
was issued, which shall conform to the address in the poll list or 396  
signature pollbook, except for a driver's license or a state 397  
identification card issued under section 4507.50 of the Revised 398  
Code, which may show either the current or former address of the 399  
individual to whom it was issued, regardless of whether that 400  
address conforms to the address in the poll list or signature 401  
pollbook. 402

(3) It shows a photograph of the individual to whom it was 403

issued.	404
(4) It <del>includes</del> <u>shall have on it</u> an expiration date that has not passed.	405 406
(5) It was issued by the government of the United States or this state.	407 408
<b>Sec. 3501.05.</b> The secretary of state shall do all of the following:	409 410
(A) Appoint all members of boards of elections;	411
(B) Issue instructions by directives and advisories in accordance with section 3501.053 of the Revised Code to members of the boards as to the proper methods of conducting elections.	412 413 414
(C) Prepare rules and instructions for the conduct of elections;	415 416
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	417 418 419
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	420 421
(F) Prescribe the form of registration cards, blanks, and records;	422 423
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	424 425 426 427
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	428 429 430

(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	431 432 433 434 435
(J) Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	436 437 438 439
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	440 441 442
(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;	443 444
(M) Compel the observance by election officers in the several counties of the requirements of the election laws;	445 446
(N)(1) Except as otherwise provided in division (N)(2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;	447 448 449 450 451
(2) On and after August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a complaint with the Ohio elections commission under section 3517.153 of the Revised Code;	452 453 454 455 456 457 458 459
(O) Make an annual report to the governor containing the results of elections, the cost of elections in the various counties, a tabulation of the votes in the several political	460 461 462

subdivisions, and other information and recommendations relative 463  
to elections the secretary of state considers desirable; 464

(P) Prescribe and distribute to boards of elections a list of 465  
instructions indicating all legal steps necessary to petition 466  
successfully for local option elections under sections 4301.32 to 467  
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 468

(Q) Adopt rules pursuant to Chapter 119. of the Revised Code 469  
for the removal ~~by boards of elections~~ of ineligible voters from 470  
the statewide voter registration database and, if applicable, from 471  
the poll list or signature pollbook used in each precinct, which 472  
rules shall provide for all of the following: 473

(1) A process for the removal of voters who have changed 474  
residence, which shall be uniform, nondiscriminatory, and in 475  
compliance with the Voting Rights Act of 1965 and the National 476  
Voter Registration Act of 1993, including a program that uses the 477  
national change of address service provided by the United States 478  
postal system through its licensees; 479

(2) A process for the removal of ineligible voters under 480  
section 3503.21 of the Revised Code; 481

(3) A uniform system for marking or removing the name of a 482  
voter who is ineligible to vote from the statewide voter 483  
registration database and, if applicable, from the poll list or 484  
signature pollbook used in each precinct and noting the reason for 485  
that mark or removal; 486

(4) The secretary of state to notify the applicable board of 487  
elections of each elector that the secretary of state has removed 488  
from the database. 489

(R) Prescribe a general program for registering voters or 490  
updating voter registration information, such as name and 491  
residence changes, by boards of elections, designated agencies, 492  
offices of deputy registrars of motor vehicles, public high 493  
schools and vocational schools, public libraries, and offices of 494



county treasurers consistent with the requirements of section	495
3503.09 of the Revised Code;	496
(S) Prescribe a program of distribution of voter registration	497
forms through boards of elections, designated agencies, offices of	498
the registrar and deputy registrars of motor vehicles, public high	499
schools and vocational schools, public libraries, and offices of	500
county treasurers;	501
(T) To the extent feasible, provide copies, at no cost and	502
upon request, of the voter registration form in post offices in	503
this state;	504
(U) Adopt rules pursuant to section 111.15 of the Revised	505
Code for the purpose of implementing the program for registering	506
voters through boards of elections, designated agencies, and the	507
offices of the registrar and deputy registrars of motor vehicles	508
consistent with this chapter;	509
(V) Establish the full-time position of Americans with	510
Disabilities Act coordinator within the office of the secretary of	511
state to do all of the following:	512
(1) Assist the secretary of state with ensuring that there is	513
equal access to polling places for persons with disabilities;	514
(2) Assist the secretary of state with ensuring that each	515
voter may cast the voter's ballot in a manner that provides the	516
same opportunity for access and participation, including privacy	517
and independence, as for other voters;	518
(3) Advise the secretary of state in the development of	519
standards for the certification of voting machines, marking	520
devices, and automatic tabulating equipment.	521
(W) Establish and maintain a computerized statewide database	522
of all legally registered voters under section 3503.15 of the	523
Revised Code that complies with the requirements of the "Help	524
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666,	525

and provide training in the operation of that system; 526

(X) Ensure that all directives, advisories, other 527  
instructions, or decisions issued or made during or as a result of 528  
any conference or teleconference call with a board of elections to 529  
discuss the proper methods and procedures for conducting 530  
elections, to answer questions regarding elections, or to discuss 531  
the interpretation of directives, advisories, or other 532  
instructions issued by the secretary of state are posted on a web 533  
site of the office of the secretary of state as soon as is 534  
practicable after the completion of the conference or 535  
teleconference call, but not later than the close of business on 536  
the same day as the conference or teleconference call takes place. 537

(Y) Publish a report on a web site of the office of the 538  
secretary of state not later than one month after the completion 539  
of the canvass of the election returns for each primary and 540  
general election, identifying, by county, the number of absent 541  
voter's ballots cast and the number of those ballots that were 542  
counted, and the number of provisional ballots cast and the number 543  
of those ballots that were counted, for that election. The 544  
secretary of state shall maintain the information on the web site 545  
in an archive format for each subsequent election. 546

(Z) Conduct voter education outlining voter identification, 547  
absent voters ballot, provisional ballot, and other voting 548  
requirements; 549

(AA) Establish a procedure by which a registered elector may 550  
make available to a board of elections a more recent signature to 551  
be used in the poll list or signature pollbook produced by the 552  
board of elections of the county in which the elector resides; 553

(BB) Disseminate information, which may include all or part 554  
of the official explanations and arguments, by means of direct 555  
mail or other written publication, broadcast, or other means or 556  
combination of means, as directed by the Ohio ballot board under 557  
division (F) of section 3505.062 of the Revised Code, in order to 558  
inform the voters as fully as possible concerning each proposed 559

constitutional amendment, proposed law, or referendum; 560

(CC) Be the single state office responsible for the 561  
implementation of the "Uniformed and Overseas Citizens Absentee 562  
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 563  
et seq., as amended, in this state. The secretary of state may 564  
delegate to the boards of elections responsibilities for the 565  
implementation of that act, including responsibilities arising 566  
from amendments to that act made by the "Military and Overseas 567  
Voter Empowerment Act," Subtitle H of the National Defense 568  
Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 569  
Stat. 3190. 570

(DD) Compile, from the boards of elections, the voting 571  
history of each registered elector who cast a ballot in an 572  
election, for inclusion in the statewide voter registration 573  
database. The secretary of state shall determine, by rule, the 574  
length of an elector's voting history that shall be included in 575  
the database; 576

(EE) Adopt rules, under Chapter 119. of the Revised Code, to 577  
establish procedures and standards for determining when a board of 578  
elections shall be placed under the official oversight of the 579  
secretary of state, placing a board of elections under the 580  
official oversight of the secretary of state, a board that is 581  
under official oversight to transition out of official oversight, 582  
and the secretary of state to supervise a board of elections that 583  
is under official oversight of the secretary of state. 584

(FF) Perform other duties required by law. 585

Whenever a primary election is held under section 3513.32 of 586  
the Revised Code or a special election is held under section 587  
3521.03 of the Revised Code to fill a vacancy in the office of 588  
representative to congress, the secretary of state shall establish 589  
a deadline, notwithstanding any other deadline required under the 590  
Revised Code, by which any or all of the following shall occur: 591  
the filing of a declaration of candidacy and petitions or a 592  
statement of candidacy and nominating petition together with the 593

applicable filing fee; the filing of protests against the 594  
candidacy of any person filing a declaration of candidacy or 595  
nominating petition; the filing of a declaration of intent to be a 596  
write-in candidate; the filing of campaign finance reports; the 597  
preparation of, and the making of corrections or challenges to, 598  
precinct voter registration lists; the receipt of applications for 599  
absent voter's ballots or ~~armed service~~uniformed services or 600  
overseas absent voter's ballots; the supplying of election 601  
materials to precincts by boards of elections; the holding of 602  
hearings by boards of elections to consider challenges to the 603  
right of a person to appear on a voter registration list; and the 604  
scheduling of programs to instruct or reinstruct election 605  
officers. 606

In the performance of the secretary of state's duties as the 607  
chief election officer, the secretary of state may administer 608  
oaths, issue subpoenas, summon witnesses, compel the production of 609  
books, papers, records, and other evidence, and fix the time and 610  
place for hearing any matters relating to the administration and 611  
enforcement of the election laws. 612

In any controversy involving or arising out of the adoption 613  
of registration or the appropriation of funds for registration, 614  
the secretary of state may, through the attorney general, bring an 615  
action in the name of the state in the court of common pleas of 616  
the county where the cause of action arose or in an adjoining 617  
county, to adjudicate the question. 618

In any action involving the laws in Title XXXV of the Revised 619  
Code wherein the interpretation of those laws is in issue in such 620  
a manner that the result of the action will affect the lawful 621  
duties of the secretary of state or of any board of elections, the 622  
secretary of state may, on the secretary of state's motion, be 623  
made a party. 624

The secretary of state may apply to any court that is hearing 625  
a case in which the secretary of state is a party, for a change of 626  
venue as a substantive right, and the change of venue shall be 627

allowed, and the case removed to the court of common pleas of an adjoining county named in the application or, if there are cases pending in more than one jurisdiction that involve the same or similar issues, the court of common pleas of Franklin county.

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

**Sec. 3501.051.** (A) Notwithstanding any other section of the Revised Code, the secretary of state may authorize, in one or more precincts in one or more counties, a program allowing individuals under the age of eighteen to enter the polling place and vote in a simulated election held at the same time as a general election. Any individual working in or supervising at a simulated election may enter the polling place and remain within it during the entire period the polls are open.

(B) A program established under division (A) of this section shall require all of the following:

(1) That the duties imposed on ~~judges of precinct~~ election officials and peace officers under section 3501.33 of the Revised Code be performed by those ~~judges~~officials and officers in regard to simulated elections and all activities related to simulated elections;

(2) That volunteers provide the personnel necessary to conduct the simulated election, except that employees of the secretary of state, employees or members of boards of elections, and precinct election officials may aid in operating the program to the extent permitted by the secretary of state;

(3) That individuals under the age of fourteen be accompanied to the simulated election by an individual eighteen years of age or over;

(4) Any other requirements the secretary of state considers

necessary for the orderly administration of the election process. 660

**Sec. 3501.053.** (A) The secretary of state may issue 661  
instructions as to the proper method of conducting elections to 662  
members of the boards of elections by permanent or temporary 663  
directives. 664

(1) The secretary of state shall establish a process to allow 665  
public review and public comment of proposed directives. Prior to 666  
issuing any permanent directive, the secretary of state shall 667  
provide reasonable notice of the issuance of the directive and 668  
allow a reasonable amount of time for public review and public 669  
comment of the proposed directive under this division. 670

No permanent directive shall be issued during the period 671  
beginning ~~ninety~~thirty days prior to the day of an election and 672  
ending on the ~~fortieth~~thirtieth day following the day of that 673  
election. 674

(2) Temporary directives shall only be issued, and shall only 675  
have effect, during the period beginning ninety days prior to the 676  
day of an election and ending on the fortieth day following the 677  
day of that election. Temporary directives shall not be subject to 678  
public review and public comment under division (A)(1) of this 679  
section. 680

A temporary directive shall not become a permanent directive 681  
unless the temporary directive is proposed as a permanent 682  
directive and subject to public review and public comment under 683  
division (A)(1) of this section. 684

If the situation prompting the establishment of a temporary 685  
directive appears likely to recur, the secretary of state shall 686  
establish a permanent directive addressing the situation. 687

(B) In addition to any other publication of directives and 688  
advisories issued by the secretary of state, the secretary of 689  
state shall publish those directives and advisories on a web site 690  
of the office of the secretary of state as soon as is practicable 691

after they are issued, but not later than the close of business on 692  
the same day as a directive or advisory is issued. The secretary 693  
of state shall not remove from the web site any directives and 694  
advisories so posted. The secretary of state shall provide on that 695  
web site access to all directives and advisories currently in 696  
effect and maintain an archive of all directives and advisories 697  
previously published on that web site. 698

**Sec. 3501.10.** (A) The board of elections shall, as an 699  
expense of the board, provide suitable rooms for its offices and 700  
records and the necessary and proper furniture and supplies for 701  
those rooms. The board may lease such offices and rooms, necessary 702  
to its operation, for the length of time and upon the terms the 703  
board deems in the best interests of the public, provided that the 704  
term of any such lease shall not exceed fifteen years. 705

Thirty days prior to entering into such a lease, the board 706  
shall notify the board of county commissioners in writing of its 707  
intent to enter into the lease. The notice shall specify the terms 708  
and conditions of the lease. Prior to the thirtieth day after 709  
receiving that notice and before any lease is entered into, the 710  
board of county commissioners may reject the proposed lease by a 711  
majority vote. After receiving written notification of the 712  
rejection by the board of county commissioners, the board of 713  
elections shall not enter into the lease that was rejected, but 714  
may immediately enter into additional lease negotiations, subject 715  
to the requirements of this section. 716

The board of elections in any county may, by resolution, 717  
request that the board of county commissioners submit to the 718  
electors of the county, in accordance with section 133.18 of the 719  
Revised Code, the question of issuing bonds for the acquisition of 720  
real estate and the construction on it of a suitable building with 721  
necessary furniture and equipment for the proper administration of 722  
the duties of the board of elections. The resolution declaring the 723  
necessity for issuing such bonds shall relate only to the 724  
acquisition of real estate and to the construction, furnishing, 725  
and equipping of a building as provided in this division. 726

(B) The board of elections in each county shall keep its offices, or one or more of its branch registration offices, open for the performance of its duties until nine p.m. on the last day of registration before a general or primary election. At all other times during each week, the board shall keep its offices and rooms open for a period of time that the board considers necessary for the performance of its duties.

(C)(1) The board of elections may maintain permanent or temporary branch offices at any place within the county, ~~provided that, if. Except as otherwise provided in division (C)(2) of this section, the board of elections permits~~ shall not permit electors to vote at a branch office, ~~electors shall not be permitted to vote at any other branch office or any other office of the board of elections.~~

(2) A board of elections may permit electors to cast absent voter's ballots in person before an election at a branch office of the board of elections if both of the following apply:

(a) At least three members of the board of elections vote to establish a branch office at a specified location for the applicable election.

(b) At least three members of the board of elections determine, as part of the vote cast under division (C)(2)(a) of this section, that the board of elections lacks the physical capacity at the office of the board to conduct in-person absent voting at that location for the applicable election.

(3) The determination of whether to establish a branch office at which electors may cast absent voter's ballots in person before an election under division (C)(2) of this section shall be made separately for each election based on the projected physical capacity requirements for in-person absent voting at that election.

**Sec. 3501.11.** Each board of elections shall exercise by a



majority vote all powers granted to the board by Title XXXV of the Revised Code, shall perform all the duties imposed by law, and shall do all of the following:	759 760 761
(A) Establish, define, provide, rearrange, and combine election precincts;	762 763
(B) Fix and provide the places for registration and for holding primaries and elections;	764 765
(C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;	766 767 768 769
(D) Appoint and remove its director, deputy director, and employees and all registrars, judges, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;	770 771 772 773
(E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;	774 775 776 777
(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;	778 779
(G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code;	780 781 782 783
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	784 785
(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each	786 787 788

board of a county that uses voting machines, marking devices, or	789
automatic tabulating equipment shall conduct a full vote of the	790
board during a public session of the board on the allocation and	791
distribution of voting machines, marking devices, and automatic	792
tabulating equipment for each precinct in the county.	793
 (J) Investigate irregularities, nonperformance of duties, or	794
violations of Title XXXV of the Revised Code by election officers	795
and other persons; administer oaths, issue subpoenas, summon	796
witnesses, and compel the production of books, papers, records,	797
and other evidence in connection with any such investigation; and	798
report the facts to the prosecuting attorney or the secretary of	799
state;	800
 (K) Review, examine, and certify the sufficiency and validity	801
of petitions and nomination papers, and, after certification,	802
return to the secretary of state all petitions and nomination	803
papers that the secretary of state forwarded to the board;	804
 (L) Receive the returns of elections, canvass the returns,	805
make abstracts of them, and transmit those abstracts to the proper	806
authorities;	807
 (M) Issue certificates of election on forms to be prescribed	808
by the secretary of state;	809
 (N) Make an annual report to the secretary of state, on the	810
form prescribed by the secretary of state, containing a statement	811
of the number of voters registered, elections held, votes cast,	812
appropriations received, expenditures made, and other data	813
required by the secretary of state;	814
 (O) Prepare and submit to the proper appropriating officer a	815
budget estimating the cost of elections for the ensuing fiscal	816
year;	817
 (P) Perform other duties as prescribed by law or the rules,	818
directives, or advisories of the secretary of state;	819

(Q) Investigate and determine the residence qualifications of electors;	820 821
(R) Administer oaths in matters pertaining to the administration of the election laws;	822 823
(S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties;	824 825 826 827 828
(T) Establish and maintain a voter registration database of all qualified electors in the county who offer to register;	829 830
(U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;	831 832 833 834 835
(V) Give approval to ballot language for any local question or issue and transmit the language to the secretary of state for the secretary of state's final approval;	836 837 838
(W) Prepare and cause the following notice to be displayed in a prominent location in every polling place:	839 840
"NOTICE	841
Ohio law prohibits any person from voting or attempting to vote more than once at the same election.	842 843
Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law."	844 845 846
(X) In all cases of a tie vote or a disagreement in the	847

board, if no decision can be arrived at, the director or  
chairperson shall submit the matter in controversy, not later than  
fourteen days after the tie vote or the disagreement, to the  
secretary of state, who shall summarily decide the question, and  
the secretary of state's decision shall be final.

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

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

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

(BB) Maintain a list of registered electors in the county who  
cast a ballot at each election, which list shall be provided to  
the secretary of state following each election.

**Sec. 3501.111.** A board of elections may contract with another  
board of elections in this state, with a county automatic data  
processing board, or with an educational service center for the  
provision of election services, including any duties imposed upon  
the board of elections under section 3501.11 of the Revised Code.  
Any contract entered into pursuant to this section shall be  
approved by the boards of county commissioners of the affected

counties. 882

**Sec. 3501.13.** (A) The director of the board of elections 883  
shall keep a full and true record of the proceedings of the board 884  
and of all moneys received and expended; file and preserve in the 885  
board's office all orders and records pertaining to the 886  
administration of registrations, primaries, and elections; receive 887  
and have the custody of all books, papers, and property belonging 888  
to the board; and perform other duties in connection with the 889  
office of director and the proper conduct of elections as the 890  
board determines. 891

(B) Before entering upon the duties of the office, the 892  
director shall subscribe to an oath that the director will support 893  
the Constitution of the United States and the Ohio Constitution, 894  
perform all the duties of the office to the best of the director's 895  
ability, enforce the election laws, and preserve all records, 896  
documents, and other property pertaining to the conduct of 897  
elections placed in the director's custody. 898

(C) The director may administer oaths to persons required by 899  
law to file certificates or other papers with the board, to ~~judges~~ 900  
~~of elections~~precinct election officials, to witnesses who are 901  
called to testify before the board, and to voters filling out 902  
blanks at the board's offices. Except as otherwise provided by 903  
state or federal law, the records of the board and papers and 904  
books filed in its office are public records and open to 905  
inspection under such reasonable regulations as shall be 906  
established by the board. The social security number of any 907  
elector or of any applicant for voter registration is not a public 908  
record. The board shall redact any such number from any record 909  
that it makes open to public inspection or copying under this 910  
section. 911

The following notice shall be posted in a prominent place at 912  
each board office: 913

"Except as otherwise provided by state or federal law, 914  
records filed in this office of the board of elections are open to 915

public inspection during normal office hours, pursuant to the 916  
following reasonable regulations: (the board shall here list its 917  
regulations). Whoever prohibits any person from inspecting the 918  
public records of this board is subject to the penalties of 919  
section 3599.161 of the Revised Code." 920

(D) Upon receipt of a written declaration of intent to retire 921  
as provided for in section 145.38 of the Revised Code, the 922  
director shall provide a copy to each member of the board of 923  
elections. 924

**Sec. 3501.14.** The board of elections shall, by a vote of not 925  
less than three of its members, fix the annual compensation of its 926  
director and deputy director who are selected in accordance with 927  
section 3501.09 of the Revised Code. 928

The board may, when necessary, appoint a deputy director, who 929  
shall not be a member of the same political party of which the 930  
director is a member, and other employees, prescribe their duties, 931  
and, by a vote of not less than three of its members, fix their 932  
compensation. 933

The director, deputy director, and other employees of the 934  
board are not public officers and shall serve, during their term 935  
of office, at the discretion of the board. The board may summarily 936  
remove the director or the deputy director by a vote of not less 937  
than three of its members and may remove any other employee by a 938  
majority vote of its membership. 939

The deputy director and all other election officials shall 940  
take and subscribe to the same oath for the faithful performance 941  
of their duties as is required of the director of the board. The 942  
deputy director shall have the same power as the director to 943  
administer oaths. The board may also employ additional employees, 944  
when necessary, for part time ~~only~~ or on a temporary basis at the 945  
prevailing rate of pay for such services. Non-full-time, 946  
part-time, and temporary employees shall only be paid sick or 947  
vacation time subject to action adopted by the board. 948

A tie vote or disagreement in the board on the amount of compensation to be paid to a director, deputy director, or any employee shall not be submitted to the secretary of state.

**Sec. 3501.17.** (A) The expenses of the board of elections shall be paid from the county treasury, in pursuance of appropriations by the board of county commissioners, in the same manner as other county expenses are paid. If the board of county commissioners fails to appropriate an amount sufficient to provide for the necessary and proper expenses of the board of elections pertaining to the conduct of elections, the board of elections may apply to the court of common pleas within the county, which shall fix the amount necessary to be appropriated and the amount shall be appropriated. Payments shall be made upon vouchers of the board of elections certified to by its chairperson or acting chairperson and the director or deputy director, upon warrants of the county auditor.

The board of elections shall not incur any obligation involving the expenditure of money unless there are moneys sufficient in the funds appropriated therefor to meet the obligation. If the board of elections requests a transfer of funds from one of its appropriation items to another, the board of county commissioners shall adopt a resolution providing for the transfer except as otherwise provided in section 5705.40 of the Revised Code. The expenses of the board of elections shall be apportioned among the county and the various subdivisions as provided in this section, and the amount chargeable to each subdivision shall be paid as provided in division (J) of this section or withheld by the auditor from the moneys payable thereto at the time of the next tax settlement. At the time of submitting budget estimates in each year, the board of elections shall submit to the taxing authority of each subdivision, upon the request of the subdivision, an estimate of the amount to be paid or withheld from the subdivision during the current or next fiscal year.

(B) Except as otherwise provided in division (F) of this section, the compensation of the members of the board of elections

and of the director, deputy director, and regular employees in the 984  
board's offices, other than compensation for overtime worked; the 985  
expenditures for the rental, furnishing, and equipping of the 986  
office of the board and for the necessary office supplies for the 987  
use of the board; the expenditures for the acquisition, repair, 988  
care, and custody of the polling places, booths, guardrails, and 989  
other equipment for polling places; the cost of tally sheets, 990  
maps, flags, ballot boxes, and all other permanent records and 991  
equipment; the cost of all elections held in and for the state and 992  
county; and all other expenses of the board which are not 993  
chargeable to a political subdivision in accordance with this 994  
section shall be paid in the same manner as other county expenses 995  
are paid. 996

(C) The compensation of ~~judges of elections~~precinct election 997  
officials and intermittent employees in the board's offices; the 998  
cost of renting, moving, heating, and lighting polling places and 999  
of placing and removing ballot boxes and other fixtures and 1000  
equipment thereof, including voting machines, marking devices, and 1001  
automatic tabulating equipment; the cost of printing and 1002  
delivering ballots, cards of instructions, registration lists 1003  
required under section 3503.23 of the Revised Code, and other 1004  
election supplies, including the supplies required to comply with 1005  
division (H) of section 3506.01 of the Revised Code; the cost of 1006  
contractors engaged by the board to prepare, program, test, and 1007  
operate voting machines, marking devices, and automatic tabulating 1008  
equipment; and all other expenses of conducting primaries and 1009  
elections in the odd-numbered years shall be charged to the 1010  
subdivisions in and for which such primaries or elections are 1011  
held. The charge for each primary or general election in 1012  
odd-numbered years for each subdivision shall be determined in the 1013  
following manner: first, the total cost of all chargeable items 1014  
used in conducting such elections shall be ascertained; second, 1015  
the total charge shall be divided by the number of precincts 1016  
participating in such election, in order to fix the cost per 1017  
precinct; third, the cost per precinct shall be prorated by the 1018  
board of elections to the subdivisions conducting elections for 1019  
the nomination or election of offices in such precinct; fourth, 1020



the total cost for each subdivision shall be determined by adding 1021  
the charges prorated to it in each precinct within the 1022  
subdivision. 1023

(D) The entire cost of special elections held on a day other 1024  
than the day of a primary or general election, both in 1025  
odd-numbered or in even-numbered years, shall be charged to the 1026  
subdivision. Where a special election is held on the same day as a 1027  
primary or general election in an even-numbered year, the 1028  
subdivision submitting the special election shall be charged only 1029  
for the cost of ballots and advertising. Where a special election 1030  
is held on the same day as a primary or general election in an 1031  
odd-numbered year, the subdivision submitting the special election 1032  
shall be charged for the cost of ballots and advertising for such 1033  
special election, in addition to the charges prorated to such 1034  
subdivision for the election or nomination of candidates in each 1035  
precinct within the subdivision, as set forth in the preceding 1036  
paragraph. 1037

(E) Where a special election is held on the day specified by 1038  
division (E) of section 3501.01 of the Revised Code for the 1039  
holding of a primary election, for the purpose of submitting to 1040  
the voters of the state constitutional amendments proposed by the 1041  
general assembly, and a subdivision conducts a special election on 1042  
the same day, the entire cost of the special election shall be 1043  
divided proportionally between the state and the subdivision based 1044  
upon a ratio determined by the number of issues placed on the 1045  
ballot by each, except as otherwise provided in division (G) of 1046  
this section. Such proportional division of cost shall be made 1047  
only to the extent funds are available for such purpose from 1048  
amounts appropriated by the general assembly to the secretary of 1049  
state. If a primary election is also being conducted in the 1050  
subdivision, the costs shall be apportioned as otherwise provided 1051  
in this section. 1052

(F) When a precinct is open during a general, primary, or 1053  
special election solely for the purpose of submitting to the 1054  
voters a statewide ballot issue, the state shall bear the entire 1055

cost of the election in that precinct and shall reimburse the 1056  
county for all expenses incurred in opening the precinct. 1057

(G)(1) The state shall bear the entire cost of advertising in 1058  
newspapers statewide ballot issues, explanations of those issues, 1059  
and arguments for or against those issues, as required by Section 1060  
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 1061  
and any other section of law. Appropriations made to the 1062  
controlling board shall be used to reimburse the secretary of 1063  
state for all expenses the secretary of state incurs for such 1064  
advertising under division (G) of section 3505.062 of the Revised 1065  
Code. 1066

(2) There is hereby created in the state treasury the 1067  
statewide ballot advertising fund. The fund shall receive 1068  
transfers approved by the controlling board, and shall be used by 1069  
the secretary of state to pay the costs of advertising state 1070  
ballot issues as required under division (G)(1) of this section. 1071  
Any such transfers may be requested from and approved by the 1072  
controlling board prior to placing the advertising, in order to 1073  
facilitate timely provision of the required advertising. 1074

(H) The cost of renting, heating, and lighting registration 1075  
places; the cost of the necessary books, forms, and supplies for 1076  
the conduct of registration; and the cost of printing and posting 1077  
precinct registration lists shall be charged to the subdivision in 1078  
which such registration is held. 1079

(I) At the request of a majority of the members of the board 1080  
of elections, the board of county commissioners may, by 1081  
resolution, establish an elections revenue fund. Except as 1082  
otherwise provided in this division, the purpose of the fund shall 1083  
be to accumulate revenue withheld by or paid to the county under 1084  
this section for the payment of any expense related to the duties 1085  
of the board of elections specified in section 3501.11 of the 1086  
Revised Code, upon approval of a majority of the members of the 1087  
board of elections. The fund shall not accumulate any revenue 1088  
withheld by or paid to the county under this section for the 1089

compensation of the members of the board of elections or of the 1090  
director, deputy director, or other regular employees in the 1091  
board's offices, other than compensation for overtime worked. 1092

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 1093  
Revised Code, the board of county commissioners may, by 1094  
resolution, transfer money to the elections revenue fund from any 1095  
other fund of the political subdivision from which such payments 1096  
lawfully may be made. Following an affirmative vote of a majority 1097  
of the members of the board of elections, the board of county 1098  
commissioners may, by resolution, rescind an elections revenue 1099  
fund established under this division. If an elections revenue fund 1100  
is rescinded, money that has accumulated in the fund shall be 1101  
transferred to the county general fund. 1102

(J)(1) Not less than fifteen business days before the 1103  
deadline for submitting a question or issue for placement on the 1104  
ballot at a special election, the board of elections shall prepare 1105  
and file with the board of county commissioners and the office of 1106  
the secretary of state the estimated cost, based on the factors 1107  
enumerated in this section, for preparing for and conducting an 1108  
election on one question or issue, one nomination for office, or 1109  
one election to office in each precinct in the county at that 1110  
special election and shall divide that cost by the number of 1111  
registered voters in the county. 1112

(2) The board of elections shall provide to a political 1113  
subdivision seeking to submit a question or issue, a nomination 1114  
for office, or an election to office for placement on the ballot 1115  
at a special election with the estimated cost for preparing for 1116  
and conducting that election, which shall be calculated either by 1117  
multiplying the number of registered voters in the political 1118  
subdivision with the cost calculated under division (J)(1) of this 1119  
section or by multiplying the cost per precinct with the number or 1120  
precincts in the political subdivision. A political subdivision 1121  
submitting a question or issue, a nomination for office, or an 1122  
election to office for placement on the ballot at that special 1123  
election shall pay to the county elections revenue fund sixty-five 1124

per cent of the estimated cost of the election not less than ten 1125  
business days after the deadline for submitting a question or 1126  
issue for placement on the ballot for that special election. 1127

(3) Not later than sixty days after the date of a special 1128  
election, the board of elections shall provide to each political 1129  
subdivision the true and accurate cost for the question or issue, 1130  
nomination for office, or election to office that the subdivision 1131  
submitted to the voters on the special election ballots. If the 1132  
board of elections determines that a subdivision paid less for the 1133  
cost of preparing and conducting a special election under division 1134  
(J)(2) of this section than the actual cost calculated under this 1135  
division, the subdivision shall remit to the county elections 1136  
revenue fund the difference between the payment made under 1137  
division (J)(2) of this section and the final cost calculated 1138  
under this division within thirty days after being notified of the 1139  
final cost. If the board of elections determines that a 1140  
subdivision paid more for the cost of preparing and conducting a 1141  
special election under division (J)(2) of this section than the 1142  
actual cost calculated under this division, the board of elections 1143  
promptly shall notify the board of county commissioners of that 1144  
difference. The board of county commissioners shall remit from the 1145  
county elections revenue fund to the political subdivision the 1146  
difference between the payment made under division (J)(2) of this 1147  
section and the final cost calculated under this division within 1148  
thirty days after receiving that notification. 1149

(K) As used in this section: 1150

(1) "Political subdivision" and "subdivision" mean any board 1151  
of county commissioners, board of township trustees, legislative 1152  
authority of a municipal corporation, board of education, or any 1153  
other board, commission, district, or authority that is empowered 1154  
to levy taxes or permitted to receive the proceeds of a tax levy, 1155  
regardless of whether the entity receives tax settlement moneys as 1156  
described in division (A) of this section; 1157

(2) "Statewide ballot issue" means any ballot issue, whether 1158

proposed by the general assembly or by initiative or referendum, 1159  
that is submitted to the voters throughout the state. 1160

**Sec. 3501.18.** (A) The board of elections may divide a 1161  
political subdivision within its jurisdiction into precincts, 1162  
establish, define, divide, rearrange, and combine the several 1163  
election precincts within its jurisdiction, and change the 1164  
location of the polling place for each precinct when it is 1165  
necessary to maintain the requirements as to the number of voters 1166  
in a precinct and to provide for the convenience of the voters and 1167  
the proper conduct of elections. No change in the number of 1168  
precincts or in precinct boundaries shall be made during the 1169  
twenty-five days immediately preceding a primary or general 1170  
election or between the first day of January and the day on which 1171  
the members of county central committees are elected in the years 1172  
in which those committees are elected. Except as otherwise 1173  
provided in section 3501.20 of the Revised Code and in division 1174  
(C) of this section, each precinct shall contain a number of 1175  
electors, not to exceed one thousand four hundred and, if the 1176  
precinct is located in a municipal corporation, not less than five 1177  
hundred, that the board of elections determines to be a reasonable 1178  
number after taking into consideration the type and amount of 1179  
available equipment, prior voter turnout, the size and location of 1180  
each selected polling place, available parking, availability of an 1181  
adequate number of poll workers, and handicap accessibility and 1182  
other accessibility to the polling place. 1183

If the board changes the boundaries of a precinct after the 1184  
filing of a local option election petition pursuant to sections 1185  
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 1186  
calls for a local option election to be held in that precinct, the 1187  
local option election shall be held in the area that constituted 1188  
the precinct at the time the local option petition was filed, 1189  
regardless of the change in the boundaries. 1190

If the board changes the boundaries of a precinct in order to 1191  
meet the requirements of division (B)(1) of this section in a 1192  
manner that causes a member of a county central committee to no 1193

longer qualify as a representative of an election precinct in the  
county, of a ward of a city in the county, or of a township in the  
county, the member shall continue to represent the precinct, ward,  
or township for the remainder of the member's term, regardless of  
the change in boundaries.

In an emergency, the board may provide more than one polling  
place in a precinct. In order to provide for the convenience of  
the voters, the board may locate polling places for voting or  
registration outside the boundaries of precincts, provided that  
the nearest public school or public building shall be used if the  
board determines it to be available and suitable for use as a  
polling place. Except in an emergency, no change in the number or  
location of the polling places in a precinct shall be made during  
the twenty-five days immediately preceding a primary or general  
election.

Electors who have failed to respond within thirty days to any  
confirmation notice shall not be counted in determining the size  
of any precinct under this section.

(B)(1) Except as otherwise provided in division (B)(2) of  
this section, a board of elections shall determine all precinct  
boundaries using geographical units used by the United States  
department of commerce, bureau of the census, in reporting the  
decennial census of Ohio.

(2) The board of elections may apply to the secretary of  
state for a waiver from the requirement of division (B)(1) of this  
section when it is not feasible to comply with that requirement  
because of unusual physical boundaries or residential development  
practices that would cause unusual hardship for voters. The board  
shall identify the affected precincts and census units, explain  
the reason for the waiver request, and include a map illustrating  
where the census units will be split because of the requested  
waiver. If the secretary of state approves the waiver and so  
notifies the board of elections in writing, the board may change a  
precinct boundary as necessary under this section, notwithstanding

the requirement in division (B)(1) of this section. 1228

(C) The board of elections may apply to the secretary of 1229  
state for a waiver from the requirement of division (A) of this 1230  
section regarding the number of electors in a precinct when the 1231  
use of geographical units used by the United States department of 1232  
commerce, bureau of the census, will cause a precinct to contain 1233  
more than one thousand four hundred electors. The board shall 1234  
identify the affected precincts and census units, explain the 1235  
reason for the waiver request, and include a map illustrating 1236  
where census units will be split because of the requested waiver. 1237  
If the secretary of state approves the waiver and so notifies the 1238  
board of elections in writing, the board may change a precinct 1239  
boundary as necessary to meet the requirements of division (B)(1) 1240  
of this section. 1241

(D) A board of elections does not violate division (A) of 1242  
this section if its minimum precinct size varies from the minimum 1243  
precinct size established in that division by five per cent or 1244  
less. 1245

(E) The board of elections may apply to the secretary of 1246  
state for a waiver from the minimum precinct size requirements of 1247  
division (A) of this section. The board shall identify the 1248  
affected precincts and explain the reason for the waiver request. 1249  
If the secretary of state approves the waiver and so notifies the 1250  
board of elections in writing, the board may change a precinct 1251  
boundary in the manner specified in the waiver request. 1252

**Sec. 3501.20.** The Notwithstanding the minimum precinct size 1253  
established under section 3501.18 of the Revised Code, the lands 1254  
used for a state or national home for disabled soldiers shall 1255  
constitute a separate election precinct, and, if necessary, may be 1256  
divided and rearranged within such limits as other precincts are 1257  
arranged and divided. 1258

**Sec. 3501.22.** (A) On (1) Except as otherwise provided in 1259  
division (A)(2) of this section, on or before the fifteenth day of 1260  
September in each year, the board of elections by a majority vote 1261

shall, after careful examination and investigation as to their  
qualifications, appoint for each election precinct four residents  
of the county in which the precinct is located, as ~~judges~~precinct  
election officials. Except as otherwise provided in division (C)  
of this section, all ~~judges of~~precinct election officials shall  
be qualified electors. The ~~judges~~precinct election officials  
shall constitute the election officers of the precinct. Not more  
than one-half of the total number of ~~judges~~precinct election  
officials shall be members of the same political party. The term  
of such precinct officers shall be for one year. The board may, at  
any time, designate any number of election officers, not more than  
one-half of whom shall be members of the same political party, to  
perform their duties at any precinct in any election. The board  
may appoint additional officials, ~~equally divided between the two  
major political parties~~, when necessary to expedite voting. If  
the board of elections determines that four precinct election  
officials are not required in a precinct for a special election,  
the board of elections may select two of the precinct's election  
officers, who are not members of the same political party, to  
serve as the precinct election officials for that precinct in that  
special election.

Vacancies for unexpired terms shall be filled by the board.  
When new precincts have been created, the board shall appoint  
~~judges~~precinct election officials for those precincts for the  
unexpired term. Any ~~judge~~precinct election official may be  
summarily removed from office at any time by the board for neglect  
of duty, malfeasance, or misconduct in office or for any other  
good and sufficient reason.

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

A board of elections may designate two precinct election  
officials as counting officials to count and tally the votes cast



and certify the results of the election at each precinct, and  
perform other duties as provided by law. To expedite the counting  
of votes at each precinct, the board may appoint additional  
officials, not more than one-half of whom shall be members of the  
same political party.

The board shall designate one of the precinct election  
officials ~~who is a member of the dominant political party~~ to serve  
as a ~~presiding judge, whose~~ voting location manager. The voting  
location manager shall be a member of the political party whose  
candidate received the highest number of votes for governor in the  
precincts whose polling places are located at the applicable  
voting location, when tallying the combined vote for governor for  
all such precincts. It is the duty of the voting location  
manager to deliver the returns of the election and all supplies to  
the office of the board. For these services, the ~~presiding judge~~  
voting location manager shall receive additional compensation in  
an amount, consistent with section 3501.28 of the Revised Code,  
determined by the board of elections.

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

(2) If the board of elections, by majority vote, opts to use  
multiple precinct polling locations in lieu of any or all  
individual precinct polling locations, the board may appoint  
precinct election officials for the multiple precinct polling  
locations as follows:

(a) For the first precinct combined in a multiple precinct  
polling location, the board shall appoint four precinct election  
officials, not more than one-half of whom shall be members of the  
same political party.

(b) For each additional precinct combined in a multiple  
precinct polling location, the board shall appoint two precinct  
election officials, not more than one of whom shall be a member of

the same political party. 1331

(c) The board shall designate one of the precinct election 1332  
officials appointed under division (A)(2)(a) or (b) of this 1333  
section who is a member of the political party whose candidate for 1334  
governor received the highest number of votes in the most recent 1335  
general election for that office in the precincts combined in the 1336  
multiple precinct polling location as the single voting location 1337  
manager for the multiple precinct polling location. 1338

(B) If the board of elections determines that not enough 1339  
qualified electors in a precinct are available to serve as 1340  
precinct officers, it may appoint persons to serve as precinct 1341  
officers at a primary, special, or general election who are at 1342  
least seventeen years of age and are registered to vote in 1343  
accordance with section 3503.07 of the Revised Code. 1344

(C)(1) A board of elections, in conjunction with the board of 1345  
education of a city, local, or exempted village school district, 1346  
the governing authority of a community school established under 1347  
Chapter 3314. of the Revised Code, or the chief administrator of a 1348  
nonpublic school may establish a program permitting certain high 1349  
school students to apply and, if appointed by the board of 1350  
elections, to serve as precinct officers at a primary, special, or 1351  
general election. 1352

In addition to the requirements established by division 1353  
(C)(2) of this section, a board of education, governing authority, 1354  
or chief administrator that establishes a program under this 1355  
division in conjunction with a board of elections may establish 1356  
additional criteria that students shall meet to be eligible to 1357  
participate in that program. 1358

(2)(a) To be eligible to participate in a program established 1359  
under division (C)(1) of this section, a student shall be a United 1360  
States citizen, a resident of the county, at least seventeen years 1361  
of age, and enrolled in the senior year of high school. 1362

(b) Any student applying to participate in a program 1363

established under division (C)(1) of this section, as part of the  
student's application process, shall declare the student's  
political party affiliation with the board of elections.

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

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

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

**Sec. 3501.26.** When the polls are closed after a primary,  
general, or special election, the receiving officials shall, in  
the presence of the counting officials and attending observers,  
proceed as follows:

(A) Count the number of electors who voted, as shown on the  
poll books;

(B) Count the unused ballots without removing stubs;

(C) Count the soiled and defaced ballots;

(D) Insert the totals of divisions (A), (B), and (C) of this  
section on the report forms provided therefor in the poll books;

(E) Count the voted ballots. If the number of voted ballots  
exceeds the number of voters whose names appear upon the poll  
books, the ~~presiding judge~~ voting location manager shall enter on  
the poll books an explanation of that discrepancy, and that

explanation, if agreed to, shall be subscribed to by all of the  
~~judges~~precinct election officials. Any ~~judge~~precinct official  
having a different explanation shall enter it in the poll books  
and subscribe to it.

(F) Put the unused ballots with stubs attached, and soiled  
and defaced ballots with stubs attached, in the envelopes or  
containers provided therefor, and certify the number.

The receiving officials shall deliver to and place in the  
custody of the counting officials all the supplies provided for  
the conduct of that election and the ballots that are to be  
counted and tallied, and take a receipt for the same, which  
receipt shall appear in and be a part of the poll books of such  
precinct. Having performed their duties, the receiving officials  
shall immediately depart.

Having receipted for the ballots, the counting officials  
shall proceed to count and tally the vote as cast in the manner  
prescribed by section 3505.27 of the Revised Code and certify the  
result of the election to the board of elections.

**Sec. 3501.27.** (A) All ~~judges of~~precinct election officials  
shall complete a program of instruction pursuant to division (B)  
of this section. No person who has been convicted of a felony or  
any violation of the election laws, who is unable to read and  
write the English language readily, or who is a candidate for an  
office to be voted for by the voters of the precinct in which the  
person is to serve shall serve as an election officer. A person  
when appointed as an election officer shall receive from the board  
of elections a certificate of appointment that may be revoked at  
any time by the board for good and sufficient reasons. The  
certificate shall be in the form the board prescribes and shall  
specify the precinct, ward, or district in and for which the  
person to whom it is issued is appointed to serve, the date of  
appointment, and the expiration of the person's term of service.

(B)(1) Each board shall establish a program as prescribed by  
the secretary of state for the instruction of election officers in

the rules, procedures, and law relating to elections. In each  
program, the board shall use training materials prepared by the  
secretary of state and may use additional materials prepared by or  
on behalf of the board. The board may use the services of unpaid  
volunteers in conducting its program and may reimburse those  
volunteers for necessary and actual expenses incurred in  
participating in the program.

~~The~~Subject to division (B)(2) of this section, the board  
shall train each new election officer before the new officer  
participates in the first election in that capacity. The board  
shall instruct election officials who have been trained previously  
only when the board or secretary of state considers that  
instruction necessary, but the board shall reinstruct such  
persons, other than ~~presiding judges~~voting location managers, at  
least once in every three years and shall reinstruct ~~presiding~~  
~~judges~~voting location managers before the primary election in  
even-numbered years. The board shall schedule any program of  
instruction within sixty days prior to the election in which the  
officials to be trained will participate.

(2) In addition to the training required under division  
(B)(1) of this section, the secretary of state may mandate  
additional training for election officials on a continuing basis  
in an effort to achieve election uniformity.

(C) The duties of a ~~judge of an~~precinct election official in  
each polling place shall be performed only by an individual who  
has successfully completed the requirements of the program, unless  
such an individual is unavailable after reasonable efforts to  
obtain such services.

(D) The secretary of state shall establish a program for the  
instruction of members of boards of elections and employees of  
boards in the rules, procedures, and law relating to elections.  
Each member and employee shall complete the training program  
within six months after the member's or employee's original  
appointment or employment, and thereafter each member and employee

shall complete a training program to update their knowledge once  
every four years or more often as determined by the secretary of  
state.

(E) The secretary of state shall reimburse each county for  
the cost of programs established pursuant to division (B) of this  
section, once the secretary of state has received an itemized  
statement of expenses for such instruction programs from the  
county. The itemized statement shall be in a form prescribed by  
the secretary of state.

**Sec. 3501.28.** (A) As used in this section:

(1) "Fair Labor Standards Act" or "Act" means the "Fair Labor  
Standards Act of 1938," 52 Stat. 1062, 29 U.S.C.A. 201, as  
amended.

(2) "Full election day" means the period of time between the  
opening of the polls and the completion of the procedures  
contained in section 3501.26 of the Revised Code.

(3) "Services" means services at each general, primary, or  
special election.

~~(B) Beginning with calendar year 1998, each judge of an  
election in a county shall be paid for the judge's services at the  
same hourly rate, which shall be not less than the minimum hourly  
rate established by the Fair Labor Standards Act and not more than  
eighty-five dollars per diem.~~

~~(C)~~ Beginning with calendar year 2004, each ~~judge of an~~  
precinct election official in a county shall be paid for the  
~~judge's official's~~ services at the same hourly rate, which shall  
be not less than the minimum hourly rate established by the Fair  
Labor Standards Act and not more than ninety-five dollars per  
diem.

~~(D)~~(C) The secretary of state shall establish, by rule  
adopted under section 111.15 of the Revised Code, the maximum

amount of per diem compensation that may be paid to ~~judges of an~~ 1493  
precinct election officials under this section each time the Fair 1494  
Labor Standards Act is amended to increase the minimum hourly rate 1495  
established by the act. Upon learning of such an increase, the 1496  
secretary of state shall determine by what percentage the minimum 1497  
hourly rate has been increased under the act and establish a new 1498  
maximum amount of per diem compensation that ~~judges of an~~ precinct 1499  
election officials may be paid under this section that is 1500  
increased by the same percentage that the minimum hourly rate has 1501  
been increased under the act. 1502

~~(E)(D)~~(1)(a) No board of elections shall increase the pay of 1503  
a ~~judge of an~~ precinct election official under this section during 1504  
a calendar year unless the board has given written notice of the 1505  
proposed increase to the board of county commissioners not later 1506  
than the first day of October of the preceding calendar year. 1507

(b) Except as otherwise provided in division ~~(E)(D)~~(2) of 1508  
this section, a board of elections may increase the pay of a ~~judge~~ 1509  
~~of an~~ precinct election official during a calendar year by up to, 1510  
but not exceeding, nine per cent over the compensation paid to a 1511  
~~judge of an~~ precinct election official in the county where the 1512  
board is located during the previous calendar year, if the 1513  
compensation so paid during the previous calendar year was 1514  
eighty-five dollars or less per diem. 1515

(c) Except as otherwise provided in division ~~(E)(D)~~(2) of 1516  
this section, a board of elections may increase the pay of a ~~judge~~ 1517  
~~of an~~ precinct election official during a calendar year by up to, 1518  
but not exceeding, four and one-half per cent over the 1519  
compensation paid to a ~~judge of an~~ precinct election official in 1520  
the county where the board is located during the previous calendar 1521  
year, if the compensation so paid during the previous calendar 1522  
year was more than eighty-five but less than ninety-five dollars 1523  
per diem. 1524

(2) The board of county commissioners may review and comment 1525  
upon a proposed increase and may enter into a written agreement 1526

with a board of elections to permit an increase in the 1527  
compensation paid to ~~judges of an~~precinct election officials for 1528  
their services during a calendar year that is greater than the 1529  
applicable percentage limitation described in division 1530  
~~(E)(D)~~(1)(b) or (c) of this section. 1531

~~(F)(E)~~ No ~~judge of an~~precinct election official who works 1532  
less than the full election day shall be paid the maximum amount 1533  
allowed under this section or the maximum amount as set by the 1534  
board of elections, whichever is less. 1535

~~(G)(F)~~(1) Except as otherwise provided in divisions ~~(G)(F)~~(4) 1536  
to (6) of this section, any employee of the state or of any 1537  
political subdivision of the state may serve as a ~~judge of~~ 1538  
~~elections~~precinct election official on the day of an election 1539  
without loss of the employee's regular compensation for that day 1540  
as follows: 1541

(a) For employees of a county office, department, commission, 1542  
board, or other entity, or of a court of common pleas, county 1543  
court, or county-operated municipal court, as defined in section 1544  
1901.03 of the Revised Code, the employee's appointing authority 1545  
may permit leave with pay for this service in accordance with a 1546  
resolution setting forth the terms and conditions for that leave 1547  
passed by the board of county commissioners. 1548

(b) For all other employees of a political subdivision of the 1549  
state, leave with pay for this service shall be subject to the 1550  
terms and conditions set forth in an ordinance or a resolution 1551  
passed by the legislative authority of the applicable political 1552  
subdivision. 1553

(c) For state employees, leave with pay for this service 1554  
shall be subject to the terms and conditions set forth by the head 1555  
of the state agency, as defined in section 1.60 of the Revised 1556  
Code, by which the person is employed. 1557

(2) Any terms and conditions set forth by a board of county 1558  
commissioners, legislative authority of a political subdivision, 1559



or head of a state agency under division ~~(G)~~(F)(1) of this section 1560  
shall include a standard procedure for deciding which employees 1561  
are permitted to receive leave with pay if multiple employees of 1562  
an entity or court described in division ~~(G)~~(F)(1)(a) of this 1563  
section, of an entity of a political subdivision described in 1564  
division ~~(G)~~(F)(1)(b) of this section, or of a state agency as 1565  
defined in section 1.60 of the Revised Code apply to serve as a 1566  
~~judge of elections~~precinct election official on the day of an 1567  
election. This procedure shall be applied uniformly to all 1568  
similarly situated employees. 1569

(3) Any employee who is eligible for leave with pay under 1570  
division ~~(G)~~(F)(1) of this section shall receive, in addition to 1571  
the employee's regular compensation, the compensation paid to the 1572  
~~judge of an~~precinct election official under division (B);or (C); 1573  
~~or (D)~~ of this section. 1574

(4) Division ~~(G)~~(F)(1) of this section does not apply to 1575  
either of the following: 1576

(a) Election officials; 1577

(b) Public school teachers. 1578

(5) Nothing in division ~~(G)~~(F)(1) of this section supersedes 1579  
or negates any provision of a collective bargaining agreement in 1580  
effect under Chapter 4117. of the Revised Code. 1581

(6) If a board of county commissioners, legislative authority 1582  
of a political subdivision, or head of a state agency fails to set 1583  
forth any terms and conditions under division ~~(G)~~(F)(1) of this 1584  
section, an employee of an entity or court described in division 1585  
~~(G)~~(F)(1)(a) of this section, of an entity of a political 1586  
subdivision described in division ~~(G)~~(F)(1)(b) of this section, or 1587  
of a state agency as defined in section 1.60 of the Revised Code 1588  
may use personal leave, vacation leave, or compensatory time, or 1589  
take unpaid leave, to serve as a ~~judge of elections~~precinct 1590  
election official on the day of an election. 1591

~~(H)~~(G) The board of elections may withhold the compensation  
of any precinct election official for failure to obey the  
instructions of the board or to comply with the law relating to  
the duties of ~~such a~~ precinct ~~judge~~election official. Any payment  
a ~~judge of an~~ precinct election official is entitled to receive  
under section 3501.36 of the Revised Code is in addition to the  
compensation the judgeofficial is entitled to receive under this  
section.

**Sec. 3501.29.** (A) The board of elections shall provide for  
each precinct a polling place and provide adequate facilities at  
each polling place for conducting the election. The board shall  
provide a sufficient number of screened or curtained voting  
compartments to which electors may retire and conveniently mark  
their ballots, protected from the observation of others. Each  
voting compartment shall be provided at all times with writing  
implements, instructions how to vote, and other necessary  
conveniences for marking the ballot. The ~~presiding judge~~voting  
location manager shall ensure that the voting compartments at all  
times are adequately lighted and contain the necessary supplies.  
The board shall utilize, in so far as practicable, rooms in public  
schools and other public buildings for polling places. Upon  
application of the board of elections, the authority which has the  
control of any building or grounds supported by taxation under the  
laws of this state, shall make available the necessary space  
therein for the purpose of holding elections and adequate space  
for the storage of voting machines, without charge for the use  
thereof. A reasonable sum may be paid for necessary janitorial  
service. When polling places are established in private buildings,  
the board may pay a reasonable rental therefor, and also the cost  
of liability insurance covering the premises when used for  
election purposes, or the board may purchase a single liability  
policy covering the board and the owners of the premises when used  
for election purposes. When removable buildings are supplied by  
the board, they shall be constructed under the contract let to the  
lowest and best bidder, and the board shall observe all ordinances  
and regulations then in force as to safety. The board shall remove  
all such buildings from streets and other public places within

thirty days after an election, unless another election is to be  
held within ninety days.

(B)(1) Except as otherwise provided in this section, the  
board shall ensure all of the following:

(a) That polling places are free of barriers that would  
impede ingress and egress of handicapped persons;

(b) That the minimum number of special parking locations,  
also known as handicapped parking spaces or disability parking  
spaces, for handicapped persons are designated at each polling  
place in accordance with 28 C.F.R. Part 36, Appendix A, and in  
compliance with division (E) of section 4511.69 of the Revised  
Code.

(c) That the entrances of polling places are level or are  
provided with a nonskid ramp ~~of not over eight per cent gradient~~  
that meets the requirements of the "Americans with Disabilities  
Act of 1990," 104 Stat. 327, 42 U.S.C. 12101;

(d) That doors are a minimum of thirty-two inches wide.

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this  
section, certain polling places may be specifically exempted by  
the secretary of state upon certification by a board of elections  
that a good faith, but unsuccessful, effort has been made to  
modify, or change the location of, such polling places.

(C) ~~At any~~If a polling place that is ~~has been~~ exempted from  
compliance by the secretary of state under division (B)(2) of this  
section, the board of elections shall permit any handicapped  
elector who travels to that ~~elector's~~ polling place, but who is  
unable to enter the polling place due to the inaccessibility of  
the polling place, to vote, with the assistance of two polling  
place officials of major political parties, in the vehicle that  
conveyed that elector to the polling place, or to receive and cast  
that elector's ballot at the door of the polling place.

(D) The secretary of state shall:	1660
(1) Work with other state agencies to facilitate the	1661
distribution of information and technical assistance to boards of	1662
elections to meet the requirements of division (B) of this	1663
section;	1664
(2) Work with organizations that represent or provide	1665
services to handicapped, disabled, or elderly citizens to effect a	1666
wide dissemination of information about the availability of	1667
absentee voting, voting in the voter's vehicle or at the door of	1668
the polling place, or other election services to handicapped,	1669
disabled, or elderly citizens.	1670
(E) Before the day of an election, the director of the board	1671
of elections of each county shall sign a statement verifying that	1672
each polling place that will be used in that county at that	1673
election meets the requirements of division (B)(1)(b) of this	1674
section. The signed statement shall be sent to the secretary of	1675
state by <del>certified</del> mail <u>or electronically</u> .	1676
(F) As used in this section, "handicapped" means having lost	1677
the use of one or both legs, one or both arms, or any combination	1678
thereof, or being blind or so severely disabled as to be unable to	1679
move about without the aid of crutches or a wheelchair.	1680
<b>Sec. 3501.30.</b> (A) The board of elections shall provide for	1681
each polling place the necessary ballot <del>boxes</del> <u>box</u> , official	1682
ballots, cards of instructions, registration forms, pollbooks or	1683
poll lists, tally sheets, forms on which to make summary	1684
statements, writing implements, paper, and all other supplies	1685
necessary for casting and counting the ballots and recording the	1686
results of the voting at the polling place. The pollbooks or poll	1687
lists shall have certificates appropriately printed on them for	1688
the signatures of all the precinct officials, by which they shall	1689
certify that, to the best of their knowledge and belief, the	1690
pollbooks or poll lists correctly show the names of all electors	1691
who voted in the polling place at the election indicated in the	1692

pollbooks or poll lists.	1693
All of the following shall be included among the supplies provided to each polling place:	1694 1695
(1) A large map of each appropriate precinct, which shall be displayed prominently to assist persons who desire to register or vote on election day. Each map shall show all streets within the precinct and contain identifying symbols of the precinct in bold print.	1696 1697 1698 1699 1700
(2) Any materials, postings, or instructions required to comply with state or federal laws;	1701 1702
(3) A flag of the United States approximately two and one-half feet in length along the top, which shall be displayed outside the entrance to the polling place during the time it is open for voting;	1703 1704 1705 1706
(4) Two or more small flags of the United States approximately fifteen inches in length along the top, which shall be placed at a distance of <del>one hundred</del> <u>fifty</u> feet from the polling place on the thoroughfares or walkways leading to the polling place, to mark the distance within which persons other than election officials, observers, police officers, and electors waiting to mark, marking, or casting their ballots shall not loiter, congregate, or engage in any kind of election campaigning. Where small flags cannot reasonably be placed <del>one hundred</del> <u>fifty</u> feet from the polling place, the <del>presiding election judge</del> <u>voting location manager</u> shall place the flags as near to <del>one hundred</del> <u>fifty</u> feet from the entrance to the polling place as is physically possible. Police officers and all election officials shall see that this prohibition against loitering and congregating is enforced.	1707 1708 1709 1710 1711 1712 1713 1714 1715 1716 1717 1718 1719 1720 1721
When the period of time during which the polling place is open for voting expires, all of the flags described in this division shall be taken into the polling place and shall be returned to the board together with all other election supplies	1722 1723 1724 1725

required to be delivered to the board. 1726

(B) The board of elections shall follow the instructions and 1727  
advisories of the secretary of state in the production and use of 1728  
polling place supplies. 1729

**Sec. 3501.301.** A contract involving a cost in excess of ~~ten~~ 1730  
twenty-five thousand dollars for printing and furnishing the 1731  
supplies, other than the official ballots, required in section 1732  
3501.30 of the Revised Code, shall not be let until the board of 1733  
elections has caused notice to be published once in a newspaper of 1734  
general circulation within the county or upon notice given by 1735  
mail, addressed to the responsible suppliers within the state. The 1736  
board of elections may require that each bid be accompanied by a 1737  
bond, with at least two individual sureties, or a surety company, 1738  
satisfactory to the board, in a sum double the amount of the bid, 1739  
conditioned upon the faithful performance of the contract awarded 1740  
and for the payment as damages by such bidder to the board of any 1741  
excess of cost over the bid which it may be required to pay for 1742  
such work by reason of the failure of the bidder to complete the 1743  
contract. The contract shall be let to the lowest and best bidder. 1744

**Sec. 3501.302.** The secretary of state may enter into 1745  
agreements for the bulk purchase of election supplies in order to 1746  
reduce the costs for such purchases by individual boards of 1747  
elections. A board of elections desiring to participate in such 1748  
purchase agreements shall file with the secretary of state a 1749  
written request for inclusion. A request for inclusion shall 1750  
include an agreement to be bound by such terms and conditions as 1751  
the secretary of state prescribes and to make direct payments to 1752  
the vendor under each purchase agreement. 1753

**Sec. 3501.31.** The board of elections shall mail to each 1754  
precinct election official notice of the date, hours, and place of 1755  
holding each election in the official's respective precinct at 1756  
which it desires the official to serve. Each of such officials 1757  
shall notify the board immediately upon receipt of such notice of 1758  
any inability to serve. 1759

The election official designated as ~~presiding judge~~voting location manager under section 3501.22 of the Revised Code shall call at the office of the board at such time before the day of the election, not earlier than the tenth day before the day of the election, as the board designates to obtain the ballots, pollbooks, registration forms and lists, and other material to be used in the official's polling place on election day.

The board may also provide for the delivery of such materials to polling places in a municipal corporation by members of the police department of such municipal corporation; or the board may provide for the delivery of such materials to the ~~presiding judge~~voting location manager not earlier than the tenth day before the election, in any manner it finds to be advisable.

On election day the precinct election officials shall punctually attend the polling place one-half hour before the time fixed for opening the polls. Each of the precinct election officials shall thereupon make and subscribe to a statement which shall be as follows:

"State of Ohio

County of .....

I do solemnly swear under the penalty of perjury that I will support the constitution of the United States of America and the constitution of the state of Ohio and its laws; that I have not been convicted of a felony or any violation of the election laws; that I will discharge to the best of my ability the duties of ~~judge of precinct election official~~ in and for precinct ..... in the ..... (township) or (ward and city or village) ..... in the county of ....., in the election to be held on the ..... day of ....., ....., as required by law and the rules and instructions of the board of elections of said county; and

that I will endeavor to prevent fraud in such election, and will  
report immediately to said board any violations of the election  
laws which come to my attention, and will not disclose any  
information as to how any elector voted which is gained by me in  
the discharge of my official duties.

..... 1796

..... 1797

..... 1798

..... 1799

..... 1800

..... 1801

(Signatures of precinct election officials)" 1802

If any of the other precinct election officials is absent at  
that time, the ~~presiding judge~~voting location manager, with the  
concurrence of a majority of the precinct election officials  
present, shall appoint a qualified elector who is a member of the  
same political party as the political party of which such absent  
precinct election official is a member to fill the vacancy until  
the board appoints a person to fill such vacancy and the person so  
appointed reports for duty at the polling place. The ~~presiding~~  
~~judge~~voting location manager shall promptly notify the board of  
such vacancy by telephone or otherwise. The ~~presiding judge~~voting  
location manager also shall assign the precinct election officials  
to their respective duties and shall have general charge of the



polling place. 1815

**Sec. 3501.32.** (A) Except as otherwise provided in division 1816  
(B) of this section, on the day of the election the polls shall be 1817  
opened by proclamation by the ~~presiding judge~~voting location 1818  
manager, or in ~~his~~the manager's absence by a ~~presiding judge~~ 1819  
voting location manager chosen by the ~~judges~~precinct election 1820  
officials, at six-thirty a.m. and shall be closed by proclamation 1821  
at seven-thirty p.m. unless there are voters waiting in line to 1822  
cast their ballots, in which case the polls shall be kept open 1823  
until such waiting voters have voted. 1824

(B) On the day of the election, any polling place located on 1825  
an island not connected to the mainland by a highway or a bridge 1826  
may close earlier than seven-thirty p.m. if all registered voters 1827  
in the precinct have voted. When a polling place closes under 1828  
division (B) of this section the ~~presiding judge~~voting location 1829  
manager shall immediately notify the board of elections of the 1830  
closing. 1831

**Sec. 3501.33.** All ~~judges of~~precinct election officials 1832  
shall enforce peace and good order in and about the place of 1833  
registration or election. They shall especially keep the place of 1834  
access of the electors to the polling place open and unobstructed 1835  
and prevent and stop any improper practices or attempts tending to 1836  
obstruct, intimidate, or interfere with any elector in registering 1837  
or voting. They shall protect observers against molestation and 1838  
violence in the performance of their duties, and may eject from 1839  
the polling place any observer for violation of any provision of 1840  
Title XXXV of the Revised Code. They shall prevent riots, 1841  
violence, tumult, or disorder. In the discharge of these duties, 1842  
they may call upon the sheriff, police, or other peace officers to 1843  
aid them in enforcing the law. They may order the arrest of any 1844  
person violating Title XXXV of the Revised Code, but such an 1845  
arrest shall not prevent the person from registering or voting if 1846  
the person is entitled to do so. The sheriff, all constables, 1847  
police officers, and other officers of the peace shall immediately 1848  
obey and aid in the enforcement of any lawful order made by the 1849

precinct election officials in the enforcement of Title XXXV of  
the Revised Code. 1850  
1851

**Sec. 3501.35.** (A)(1) During an election and the counting of 1852  
the ballots, no person shall do any of the following: 1853

~~(1)(a)~~ Loiter, congregate, or engage in any kind of election 1854  
campaigning ~~within the area between the polling place and the~~ 1855  
~~small flags of the United States placed on the thoroughfares and~~ 1856  
~~walkways leading to the polling place, and if the line of electors~~ 1857  
~~waiting to vote extends beyond those small flags, within ten~~ 1858  
~~feet of any elector in that line~~ the entrance to a polling place; 1859

~~(2)(b)~~ In any manner hinder or delay an elector in reaching 1860  
or leaving the place fixed for casting the elector's ballot; 1861

~~(3)(c)~~ Give, tender, or exhibit any ballot or ticket to any 1862  
person other than the elector's own ballot to the ~~judge of~~ 1863  
precinct election officials within the area between the polling 1864  
place and the small flags of the United States placed on the 1865  
thoroughfares and walkways leading to the polling place, and if 1866  
the line of electors waiting to vote extends beyond those small 1867  
flags, within ten feet of any elector in that line; 1868

~~(4)(d)~~ Exhibit any ticket or ballot which the elector intends 1869  
to cast; 1870

~~(5)(e)~~ Solicit or in any manner attempt to influence any 1871  
elector in casting the elector's vote. 1872

(2) Whoever violates division (A)(1)(a) of this section is 1873  
guilty of a minor misdemeanor; if the person refuses to comply 1874  
with the judges of election or law enforcement officers who are 1875  
enforcing that division, the person is guilty of a misdemeanor of 1876  
the first degree. 1877

(B)(1) Except as otherwise provided in division (B)(2) of 1878  
this section and division (C) of section 3503.23 of the Revised 1879  
Code, no person who is not an election official, employee, 1880

observer, or police officer shall be allowed to enter the polling  
place during the election, except for the purpose of voting or  
assisting another person to vote as provided in section 3505.24 of  
the Revised Code.

(2) Notwithstanding any provision of this section to the  
contrary, a journalist shall be allowed reasonable access to a  
polling place during an election. As used in this division,  
"journalist" has the same meaning as in division (B)(2) of section  
2923.129 of the Revised Code.

(C) No more electors shall be allowed to approach the voting  
shelves at any time than there are voting shelves provided.

(D) The line of waiting voters and persons loitering,  
congregating, or campaigning near that line shall not impede the  
normal flow of traffic or access to the entrance or exit of any  
business or organization in the vicinity.

(E) The ~~judges of precinct~~ election officials and the police  
officer shall strictly enforce the observance of this section.

**Sec. 3501.37.** After each election, the ~~judges of elections~~  
precinct election officials of each precinct, except when the  
board of elections assumes the duty, shall see that the movable  
booths and other equipment are returned for safekeeping to the  
fiscal officer of the township or to the clerk or auditor of the  
municipal corporation in which the precinct is situated. The  
fiscal officer, clerk, or auditor shall have booths and equipment  
on hand and in place at the polling places in each precinct before  
the time for opening the polls on election days, and for this  
service the board may allow the necessary expenses incurred. In  
cities, this duty shall devolve on the board.

**Sec. 3501.38.** All declarations of candidacy, nominating  
petitions, or other petitions presented to or filed with the  
secretary of state or a board of elections or with any other  
public office for the purpose of becoming a candidate for any  
nomination or office or for the holding of an election on any

issue shall, in addition to meeting the other specific 1914  
requirements prescribed in the sections of the Revised Code 1915  
relating to them, be governed by the following rules: 1916

(A) Only electors qualified to vote on the candidacy or issue 1917  
which is the subject of the petition shall sign a petition. Each 1918  
signer shall be a registered elector pursuant to section ~~3503.11~~ 1919  
3503.01 of the Revised Code. The facts of qualification shall be 1920  
determined as of the date when the petition is filed. 1921

(B) Signatures shall be affixed in ink. Each signer may also 1922  
print the signer's name, so as to clearly identify the signer's 1923  
signature. 1924

(C) Each signer shall place on the petition after the 1925  
signer's name the date of signing and the location of the signer's 1926  
voting residence, including the street and number if in a 1927  
municipal corporation or the rural route number, post office 1928  
address, or township if outside a municipal corporation. The 1929  
voting address given on the petition shall be the address 1930  
appearing in the registration records at the board of elections. 1931

(D) Except as otherwise provided in section 3501.382 of the 1932  
Revised Code, no person shall write any name other than the 1933  
person's own on any petition. Except as otherwise provided in 1934  
section 3501.382 of the Revised Code, no person may authorize 1935  
another to sign for the person. If a petition contains the 1936  
signature of an elector two or more times, only the first 1937  
signature shall be counted. 1938

(E)(1) On each petition paper, the circulator shall indicate 1939  
the number of signatures contained on it, and shall sign a 1940  
statement made under penalty of election falsification that the 1941  
circulator witnessed the affixing of every signature, that all 1942  
signers were to the best of the circulator's knowledge and belief 1943  
qualified to sign, and that every signature is to the best of the 1944  
circulator's knowledge and belief the signature of the person 1945  
whose signature it purports to be or of an attorney in fact acting 1946  
pursuant to section 3501.382 of the Revised Code. On the 1947

circulator's statement for a declaration of candidacy or 1948  
nominating petition for a person seeking to become a statewide 1949  
candidate or for a statewide initiative or a statewide referendum 1950  
petition, the circulator shall identify the circulator's name, the 1951  
address of the circulator's permanent residence, and the name and 1952  
address of the person employing the circulator to circulate the 1953  
petition, if any. 1954

(2) As used in division (E) of this section, "statewide 1955  
candidate" means the joint candidates for the offices of governor 1956  
and lieutenant governor or a candidate for the office of secretary 1957  
of state, auditor of state, treasurer of state, or attorney 1958  
general. 1959

(F) Except as otherwise provided in section 3501.382 of the 1960  
Revised Code, if a circulator knowingly permits an unqualified 1961  
person to sign a petition paper or permits a person to write a 1962  
name other than the person's own on a petition paper, that 1963  
petition paper is invalid; otherwise, the signature of a person 1964  
not qualified to sign shall be rejected but shall not invalidate 1965  
the other valid signatures on the paper. 1966

(G) The circulator of a petition may, before filing it in a 1967  
public office, strike from it any signature the circulator does 1968  
not wish to present as a part of the petition. 1969

(H) Any signer of a petition or an attorney in fact acting 1970  
pursuant to section 3501.382 of the Revised Code on behalf of a 1971  
signer may remove the signer's signature from that petition at any 1972  
time before the petition is filed in a public office by striking 1973  
the signer's name from the petition; no signature may be removed 1974  
after the petition is filed in any public office. 1975

(I)(1) No alterations, corrections, or additions may be made 1976  
to a petition after it is filed in a public office. 1977

(2)(a) No declaration of candidacy, nominating petition, or 1978  
other petition for the purpose of becoming a candidate may be 1979  
withdrawn after it is filed in a public office. Nothing in this 1980

division prohibits a person from withdrawing as a candidate as  
otherwise provided by law. 1981  
1982

(b) No petition presented to or filed with the secretary of 1983  
state, a board of elections, or any other public office for the 1984  
purpose of the holding of an election on any question or issue may 1985  
be resubmitted after it is withdrawn from a public office. Nothing 1986  
in this division prevents a question or issue petition from being 1987  
withdrawn by the filing of a written notice of the withdrawal by a 1988  
majority of the members of the petitioning committee with the same 1989  
public office with which the petition was filed prior to the 1990  
sixtieth day before the election at which the question or issue is 1991  
scheduled to appear on the ballot. 1992

(J) All declarations of candidacy, nominating petitions, or 1993  
other petitions under this section shall be accompanied by the 1994  
following statement in boldface capital letters: WHOEVER COMMITS 1995  
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH 1996  
DEGREE.

(K) All separate petition papers shall be filed at the same 1997  
time, as one instrument. 1998

(L) If a board of elections distributes for use a petition 1999  
form for a declaration of candidacy, nominating petition, or any 2000  
type of question or issue petition that does not satisfy the 2001  
requirements of law as of the date of that distribution, the board 2002  
shall not invalidate the petition on the basis that the petition 2003  
form does not satisfy the requirements of law, if the petition 2004  
otherwise is valid. Division (L) of this section applies only if 2005  
the candidate received the petition from the board within ninety 2006  
days of when the petition is required to be filed. 2007

**Sec. 3501.40. In any administrative review of, or legal** 2008  
**proceeding regarding, the actions of any election official under** 2009  
**Title XXXV of the Revised Code, all of the following shall apply:** 2010

**(A) No election official shall be presumed to have committed** 2011  
**any error in the course of the election official's duties, unless** 2012

that error shall be independently proven by the facts of the 2013  
administrative review or legal proceeding. 2014

(B) If an election official has been found to have committed 2015  
an error with respect to a particular person or set of 2016  
circumstances, that election official shall not be presumed to 2017  
have committed an error with respect to any other person or set of 2018  
circumstances. 2019

(C) If election officials in one precinct, polling location, 2020  
or county are found to have committed an error with respect to a 2021  
particular person or set of circumstances, that error shall not be 2022  
presumed to have occurred in any other precinct, polling location, 2023  
or county. 2024

**Sec. 3501.50.** Any action brought challenging the 2025  
constitutionality, legality, or enforcement of any provision of 2026  
the Ohio Constitution that governs the election process or any 2027  
provision of Title XXXV of the Revised Code shall be deemed to 2028  
have been brought against the state, and all of the following 2029  
shall apply: 2030

(A) The general assembly shall be notified of the filing of 2031  
the action; 2032

(B) The general assembly has the right to intervene in the 2033  
action; 2034

(C) The general assembly shall be notified of any proposed 2035  
consent decree before the consent decree is agreed to by the 2036  
court; 2037

(D) The general assembly has the right to intervene in the 2038  
action to object to any proposed consent decree. 2039

**Sec. 3503.02.** All registrars and ~~judges of elections~~ 2040  
precinct election officials, in determining the residence of a 2041  
person offering to register or vote, shall be governed by the 2042  
following rules: 2043

(A) That place shall be considered the residence of a person  
in which the person's habitation is fixed and to which, whenever  
the person is absent, the person has the intention of returning.

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(B) A person shall not be considered to have lost the  
person's residence who leaves the person's home and goes into  
another state or county of this state, for temporary purposes  
only, with the intention of returning.

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(C) A person shall not be considered to have gained a  
residence in any county of this state into which the person comes  
for temporary purposes only, without the intention of making such  
county the permanent place of abode.

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(D) The place where the family of a married person resides  
shall be considered to be the person's place of residence; except  
that when the spouses have separated and live apart, the place  
where such a spouse resides the length of time required to entitle  
a person to vote shall be considered to be the spouse's place of  
residence.

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(E) If a person removes to another state with the intention  
of making such state the person's residence, the person shall be  
considered to have lost the person's residence in this state.

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(F) Except as otherwise provided in division (G) of this  
section, if a person removes from this state and continuously  
resides outside this state for a period of four years or more, the  
person shall be considered to have lost the person's residence in  
this state, notwithstanding the fact that the person may entertain  
an intention to return at some future period.

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(G) If a person removes from this state to engage in the  
services of the United States government, the person shall not be  
considered to have lost the person's residence in this state  
during the period of such service, and likewise should the person  
enter the employment of the state, the place where such person  
resided at the time of the person's removal shall be considered to

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be the person's place of residence. 2076

(H) If a person goes into another state and while there 2077  
exercises the right of a citizen by voting, the person shall be 2078  
considered to have lost the person's residence in this state. 2079

(I) If a person does not have a fixed place of habitation, 2080  
but has a shelter or other location at which the person has been a 2081  
consistent or regular inhabitant and to which the person has the 2082  
intention of returning, that shelter or other location shall be 2083  
deemed the person's residence for the purpose of registering to 2084  
vote. 2085

**Sec. 3503.05.** The secretary of state shall establish, by 2086  
rule, a uniform process for notifying individuals who have 2087  
submitted an incomplete voter registration application of the 2088  
incomplete status of that application. The process shall permit 2089  
such an individual to provide any information required to complete 2090  
the application. 2091

**Sec. 3503.06.** ~~(A)~~ No person shall be entitled to vote at any 2092  
election, or to sign ~~or circulate~~ any declaration of candidacy or 2093  
any ~~nominating, or recall~~ election petition, unless the person is 2094  
registered as an elector and will have resided in the county and 2095  
precinct where the person is registered for at least thirty days 2096  
at the time of the next election. 2097

~~(B)(1) No person shall be entitled to circulate any 2098  
initiative or referendum petition unless the person is a resident 2099  
of this state. 2100~~

~~(2) All election officials, in determining the residence of a 2101  
person circulating a petition under division (B)(1) of this 2102  
section, shall be governed by the following rules: 2103~~

~~(a) That place shall be considered the residence of a person 2104  
in which the person's habitation is fixed and to which, whenever 2105  
the person is absent, the person has the intention of returning. 2106~~

(b) A person shall not be considered to have lost the person's residence who leaves the person's home and goes into another state for temporary purposes only, with the intention of returning.	2107 2108 2109 2110
(c) A person shall not be considered to have gained a residence in any county of this state into which the person comes for temporary purposes only, without the intention of making that county the permanent place of abode.	2111 2112 2113 2114
(d) If a person removes to another state with the intention of making that state the person's residence, the person shall be considered to have lost the person's residence in this state.	2115 2116 2117
(e) Except as otherwise provided in division (B)(2)(f) of this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may entertain an intention to return at some future period.	2118 2119 2120 2121 2122 2123
(f) If a person removes from this state to engage in the services of the United States government, the person shall not be considered to have lost the person's residence in this state during the period of that service, and likewise should the person enter the employment of the state, the place where that person resided at the time of the person's removal shall be considered to be the person's place of residence.	2124 2125 2126 2127 2128 2129 2130
(g) If a person goes into another state and, while there, exercises the right of a citizen by voting, the person shall be considered to have lost the person's residence in this state.	2131 2132 2133
(C) No person shall be entitled to sign any initiative or referendum petition unless the person is registered as an elector and will have resided in the county and precinct where the person is registered for at least thirty days at the time of the next election.	2134 2135 2136 2137 2138

<b>Sec. 3503.14. (A)</b> The secretary of state shall prescribe the form and content of the registration, change of residence, and change of name forms used in this state. The forms shall meet the requirements of the National Voter Registration Act of 1993 and shall include spaces for all of the following:	2139 2140 2141 2142 2143
(1) The voter's name;	2144
(2) The voter's address;	2145
(3) The current date;	2146
(4) The voter's date of birth;	2147
(5) The voter to provide one or more of the following:	2148
(a) The voter's driver's license number <u>or state identification card number</u> , if any;	2149 2150
(b) The <del>last four digits of the</del> voter's social security number, if any;	2151 2152
(c) A copy of a current and valid photo identification, a copy of a military identification, <u>a copy of a United States passport</u> , or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than <del>a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code</del> or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address.	2153 2154 2155 2156 2157 2158 2159 2160
(6) The voter's signature.	2161
The registration form shall include a space on which the person registering an applicant shall sign the person's name and provide the person's address and a space on which the person registering an applicant shall name the employer who is employing that person to register the applicant.	2162 2163 2164 2165 2166

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

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

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;
- (7) An employee of a public library;
- (8) An employee of the office of a county treasurer;
- (9) An employee of the bureau of motor vehicles;
- (10) An employee of a deputy registrar of motor vehicles;
- (11) An employee of an election official.

(C) Except as provided in section 3501.382 of the Revised

Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.

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

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

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

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

(2)(a) State agencies, including, but not limited to, the department of health, bureau of motor vehicles, department of job and family services, and the department of rehabilitation and

corrections, shall provide any information and data to the 2227  
secretary of state that the secretary of state considers necessary 2228  
in order to maintain the statewide voter registration database 2229  
established pursuant to this section, except where prohibited by 2230  
federal law or regulation. The secretary of state shall ensure 2231  
that any information or data provided to the secretary of state 2232  
that is confidential in the possession of the entity providing the 2233  
data remains confidential while in the possession of the secretary 2234  
of state. 2235

(b) Information provided under this division for maintenance 2236  
of the statewide voter registration database shall not be used to 2237  
update the name or address of a registered elector. The name or 2238  
address of a registered elector shall only be updated as a result 2239  
of the elector's actions in filing a notice of change of name, 2240  
change of address, or both. 2241

(c) A board of elections shall contact a registered elector 2242  
by mail at the address on file with the board to verify the 2243  
accuracy of the information in the statewide voter registration 2244  
database regarding that elector if information provided under 2245  
division (A)(2)(a) of this section identifies a discrepancy 2246  
between the information regarding that elector that is maintained 2247  
in the statewide voter registration database and maintained by a 2248  
state agency. 2249

(3) The secretary of state may enter into agreements to share 2250  
information or data with other states or groups of states, as the 2251  
secretary of state considers necessary, in order to maintain the 2252  
statewide voter registration database established pursuant to this 2253  
section. Except as otherwise provided in this division, the 2254  
secretary of state shall ensure that any information or data 2255  
provided to the secretary of state that is confidential in the 2256  
possession of the state providing the data remains confidential 2257  
while in the possession of the secretary of state. The secretary 2258  
of state may provide such otherwise confidential information or 2259  
data to persons or organizations that are engaging in legitimate 2260  
governmental purposes related to the maintenance of the statewide 2261

<u>voter registration database.</u>	2262
(B) The statewide voter registration database established	2263
under this section shall be the official list of registered voters	2264
for all elections conducted in this state.	2265
(C) The statewide voter registration database established	2266
under this section shall, at a minimum, include all of the	2267
following:	2268
(1) An electronic network that connects all board of	2269
elections offices with the office of the secretary of state and	2270
with the offices of all other boards of elections;	2271
(2) A computer program that harmonizes the records contained	2272
in the database with records maintained by each board of	2273
elections;	2274
(3) An interactive computer program that allows access to the	2275
records contained in the database by each board of elections and	2276
by any persons authorized by the secretary of state to add,	2277
delete, modify, or print database records, and to conduct updates	2278
of the database;	2279
(4) A search program capable of verifying registered voters	2280
and their registration information by name, driver's license	2281
number, birth date, social security number, <u>state identification</u>	2282
<u>number</u> , or current address;	2283
(5) Safeguards and components to ensure that the integrity,	2284
security, and confidentiality of the voter registration	2285
information is maintained.	2286
(D) The secretary of state shall adopt rules pursuant to	2287
Chapter 119. of the Revised Code doing all of the following:	2288
(1) Specifying the manner in which existing voter	2289
registration records maintained by boards of elections shall be	2290
converted to electronic files for inclusion in the statewide voter	2291

registration database;	2292
(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received;	2293 2294 2295 2296
(3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code;	2297 2298 2299
(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database;	2300 2301 2302
(5) Establishing a process for annually auditing the information contained in the statewide voter registration database;	2303 2304 2305
<u>(6) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by the bureau of motor vehicles.</u>	2306 2307 2308 2309
(E) <del>A board of elections promptly shall purge a voter's name and voter registration information</del> <u>shall be purged</u> from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. <u>The secretary of state shall notify the applicable board of elections of each voter from that county that the secretary of state has purged from the statewide voter registration database.</u>	2310 2311 2312 2313 2314 2315 2316 2317 2318
(F) The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database.	2319 2320 2321 2322 2323



(G)(1) The statewide voter registration database established	2324
under this section shall be made available on a web site of the	2325
office of the secretary of state as follows:	2326
(a) Except as otherwise provided in division (G)(1)(b) of	2327
this section, <del>only</del> the following information from the statewide	2328
voter registration database regarding a registered voter shall be	2329
made available on the web site:	2330
(i) The voter's name;	2331
(ii) The voter's address;	2332
(iii) The voter's precinct number;	2333
(iv) The voter's voting history.	2334
(b) During the thirty days before the day of a primary or	2335
general election, the web site interface of the statewide voter	2336
registration database shall permit a voter to search for the	2337
polling location at which that voter may cast a ballot.	2338
(2) The secretary of state shall establish, by rule adopted	2339
under Chapter 119. of the Revised Code, a process for boards of	2340
elections to notify the secretary of state of changes in the	2341
locations of precinct polling places for the purpose of updating	2342
the information made available on the secretary of state's web	2343
site under division (G)(1)(b) of this section. Those rules shall	2344
require a board of elections, during the thirty days before the	2345
day of a primary or general election, to notify the secretary of	2346
state within one business day of any change to the location of a	2347
precinct polling place within the county.	2348
(3) During the thirty days before the day of a primary or	2349
general election, not later than one business day after receiving	2350
a notification from a county pursuant to division (G)(2) of this	2351
section that the location of a precinct polling place has changed,	2352
the secretary of state shall update that information on the	2353

secretary of state's web site for the purpose of division 2354  
(G)(1)(b) of this section. 2355

**Sec. 3503.16.** (A) Whenever a registered elector changes the 2356  
place of residence of that registered elector from one precinct to 2357  
another within a county or from one county to another, or has a 2358  
change of name, that registered elector shall report the change by 2359  
delivering a change of residence or change of name form, whichever 2360  
is appropriate, as prescribed by the secretary of state under 2361  
section 3503.14 of the Revised Code to the state or local office 2362  
of a designated agency, a public high school or vocational school, 2363  
a public library, the office of the county treasurer, the office 2364  
of the secretary of state, any office of the registrar or deputy 2365  
registrar of motor vehicles, or any office of a board of elections 2366  
in person or by a third person. Any voter registration, change of 2367  
address, or change of name application, returned by mail, may be 2368  
sent only to the secretary of state or the board of elections. 2369

A registered elector also may update the registration of that 2370  
registered elector by filing a change of residence or change of 2371  
name form on the day of a special, primary, or general election at 2372  
the polling place in the precinct in which that registered elector 2373  
resides or at the board of elections ~~or at another site designated~~ 2374  
~~by the board.~~ 2375

(B)(1)(a) Any registered elector who moves within a precinct 2376  
on or prior to the day of a general, primary, or special election 2377  
and has not filed a notice of change of residence with the board 2378  
of elections may vote in that election by going to that registered 2379  
elector's assigned polling place in the precinct in which the 2380  
registered elector resides, completing and signing a notice of 2381  
change of residence, showing identification in the form of a 2382  
current and valid photo identification, a military identification, 2383  
a United States passport, or a copy of a current utility bill, 2384  
bank statement, government check, paycheck, or other government 2385  
document, other than ~~a notice of an election mailed by a board of~~ 2386  
~~elections under section 3501.19 of the Revised Code~~ or a notice of 2387  
voter registration mailed by a board of elections under section 2388

3503.19 of the Revised Code, that shows the name and current address of the elector, and casting a ballot. ~~If the elector provides either a driver's license or a state identification card issued under section 4507.50 of the Revised Code that does not contain the elector's current residence address, the elector shall provide the last four digits of the elector's driver's license number or state identification card number, and the precinct election official shall mark the poll list or signature pollbook to indicate that the elector has provided a driver's license or state identification card number with a former address and record the last four digits of the elector's driver's license number or state identification card number.~~

(b) Any registered elector who changes the name of that registered elector and remains within a precinct on or prior to the day of a general, primary, or special election and has not filed a notice of change of name with the board of elections may vote in that election by going to that registered elector's assigned polling place in the precinct in which the registered elector resides, completing and signing a notice of a change of name, showing the identification required by division (B)(1)(a) of this section, and casting a ~~provisional~~ ballot ~~under section 3505.181 of the Revised Code.~~

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

(a) ~~Appears at anytime during regular business hours on or after the twenty-eighth day prior to the election in which that registered elector wishes to vote or, if the election is held on the day of a presidential primary election, the twenty-fifth day prior to the election, through noon of the Saturday prior to the~~

<del>election</del> <u>the time that absent voter's ballots may be cast in</u>	2424
<u>person</u> at the office of the board of elections, <del>appears at any</del>	2425
<del>time during regular business hours on the Monday prior to the</del>	2426
<del>election at the office of the board of elections, or, if pursuant</del>	2427
<u>to division (C)(2) of section 3501.10 of the Revised Code the</u>	2428
<u>board has designated another location at which registered electors</u>	2429
<u>may cast absent voter's ballots in person before an election, at</u>	2430
<u>that other location instead of the office of the board of</u>	2431
<u>elections, or appears on the day of the election at either of the</u>	2432
<u>following locations:</u>	2433
(i) The polling place in the precinct in which that	2434
registered elector resides;	2435
(ii) The office of the board of elections <del>or, if pursuant to</del>	2436
<del>division (C) of section 3501.10 of the Revised Code the board has</del>	2437
<del>designated another location in the county at which registered</del>	2438
<del>electors may vote, at that other location instead of the office of</del>	2439
<del>the board of elections.</del>	2440
(b) Completes and signs, under penalty of election	2441
falsification, <u>the written affirmation on the provisional ballot</u>	2442
<u>envelope, which shall serve as a notice of change of residence or</u>	2443
<del>change of name, whichever is appropriate, and files it with</del>	2444
<del>election officials at the polling place, at the office of the</del>	2445
<del>board of elections, or, if pursuant to division (C) of section</del>	2446
<del>3501.10 of the Revised Code the board has designated another</del>	2447
<del>location in the county at which registered electors may vote, at</del>	2448
<del>that other location instead of the office of the board of</del>	2449
<del>elections, whichever is appropriate;</del>	2450
(c) Votes a provisional ballot under section 3505.181 of the	2451
Revised Code at the polling place; <u>in the precinct in which the</u>	2452
<u>registered elector resides, at the office of the board of</u>	2453
<u>elections, or, if pursuant to division (C)(2) of section 3501.10</u>	2454
<u>of the Revised Code the board has designated another location in</u>	2455
<u>the county at which registered electors may <del>vote</del>cast absent</u>	2456
<u>voter's ballots in person before an election, at that other</u>	2457

location instead of the office of the board of elections, 2458  
whichever is appropriate, using the address to which that 2459  
registered elector has moved or the name of that registered 2460  
elector as changed, whichever is appropriate; 2461

(d) Completes and signs, under penalty of election 2462  
falsification, a statement attesting that that registered elector 2463  
moved or had a change of name, whichever is appropriate, on or 2464  
prior to the day of the election, has voted a provisional ballot 2465  
at the polling place in the precinct in which that registered 2466  
elector resides, at the office of the board of elections, or, if 2467  
pursuant to division (C)(2) of section 3501.10 of the Revised Code 2468  
the board has designated another location in the county at which 2469  
registered electors may ~~vote~~cast absent voter's ballots in person 2470  
before an election, at that other location instead of the office 2471  
of the board of elections, whichever is appropriate, and will not 2472  
vote or attempt to vote at any other location for that particular 2473  
election. ~~The statement required under division (B)(2)(d) of this~~ 2474  
~~section shall be included on the notice of change of residence or~~ 2475  
~~change of name, whichever is appropriate, required under division~~ 2476  
~~(B)(2)(b) of this section.~~ 2477

(C) Any registered elector who moves from one county to 2478  
another county within the state or moves from one county to 2479  
another and changes the name of that registered elector on or 2480  
prior to the day of a general, primary, or special election and 2481  
has not registered to vote in the county to which that registered 2482  
elector moved may vote in that election if that registered elector 2483  
complies with division (G) of this section or does all of the 2484  
following: 2485

(1) ~~Appears at any time during regular business hours on or~~ 2486  
~~after the twenty-eighth day prior to the election in which that~~ 2487  
~~registered elector wishes to vote or, if the election is held on~~ 2488  
~~the day of a presidential primary election, the twenty-fifth day~~ 2489  
~~prior to the election, through noon of the Saturday prior to the~~ 2490  
~~election~~the time that absent voter's ballots may be cast in 2491  
person at the office of the board of elections or, if pursuant to 2492

division (C)(2) of section 3501.10 of the Revised Code the board	2493
has designated another location in the county at which registered	2494
electors may <del>vote</del> cast absent voter's ballots in person before an	2495
<u>election</u> , at that other location instead of the office of the	2496
board of elections, <del>appears during regular business hours on the</del>	2497
<del>Monday prior to the election at the office of the board of</del>	2498
<del>elections or, if pursuant to division (C) of section 3501.10 of</del>	2499
<del>the Revised Code the board has designated another location in the</del>	2500
<del>county at which registered electors may vote, at that other</del>	2501
<del>location instead of the office of the board of elections, or</del>	2502
<del>appears on the day of the election at the</del> <u>either of the following</u>	2503
<u>locations:</u>	2504
 (a) <u>The polling place in the precinct in which that elector</u>	2505
<u>resides;</u>	2506
 (b) <u>The</u> office of the board of elections <del>or, if pursuant to</del>	2507
<del>division (C) of section 3501.10 of the Revised Code the board has</del>	2508
<del>designated another location in the county at which registered</del>	2509
<del>electors may vote, at that other location instead of the office of</del>	2510
<del>the board of elections;</del>	2511
 (2) Completes and signs, under penalty of election	2512
falsification, <u>the written affirmation on the provisional ballot</u>	2513
<u>envelope, which shall serve as</u> a notice of change of residence	2514
<del>and files it with election officials at the board of elections or,</del>	2515
<del>if pursuant to division (C) of section 3501.10 of the Revised Code</del>	2516
<del>the board has designated another location in the county at which</del>	2517
<del>registered electors may vote, at that other location instead of</del>	2518
<del>the office of the board of elections</del> <u>or change of name, whichever</u>	2519
<u>is appropriate;</u>	2520
 (3) Votes a provisional ballot under section 3505.181 of the	2521
Revised Code <u>at the polling place in which the registered elector</u>	2522
<u>resides</u> , at the office of the board of elections or, if pursuant	2523
to division (C)(2) of section 3501.10 of the Revised Code the	2524
board has designated another location in the county at which	2525
registered electors may <del>vote</del> <u>cast absent voter's ballots in person</u>	2526

before an election, at that other location instead of the office 2527  
of the board of elections, using the address to which that 2528  
registered elector has moved or the name of that registered 2529  
elector as changed, whichever is appropriate; 2530

(4) Completes and signs, under penalty of election 2531  
falsification, a statement attesting that that registered elector 2532  
has moved from one county to another county within the state or 2533  
moved from one county to another and changed the elector's name, 2534  
whichever is appropriate, on or prior to the day of the election, 2535  
has voted at the office of the board of elections or, if pursuant 2536  
to division (C)(2) of section 3501.10 of the Revised Code the 2537  
board has designated another location in the county at which 2538  
registered electors may ~~vote~~cast absent voter's ballots in person 2539  
before an election, at that other location instead of the office 2540  
of the board of elections, and will not vote or attempt to vote at 2541  
any other location for that particular election. ~~The statement~~ 2542  
~~required under division (C)(4) of this section shall be included~~ 2543  
~~on the notice of change of residence required under division~~ 2544  
~~(C)(2) of this section.~~ 2545

(D) A person who votes by absent voter's ballots pursuant to 2546  
division (G) of this section shall not make written application 2547  
for the ballots pursuant to Chapter 3509. of the Revised Code. 2548  
Ballots cast pursuant to division (G) of this section shall be set 2549  
aside in a special envelope and counted during the official 2550  
canvass of votes in the manner provided for in sections 3505.32 2551  
and 3509.06 of the Revised Code insofar as that manner is 2552  
applicable. The board shall examine the pollbooks to verify that 2553  
no ballot was cast at the polls or by absent voter's ballots under 2554  
Chapter 3509. or 3511. of the Revised Code by an elector who has 2555  
voted by absent voter's ballots pursuant to division (G) of this 2556  
section. Any ballot determined to be insufficient for any of the 2557  
reasons stated above or stated in section 3509.07 of the Revised 2558  
Code shall not be counted. 2559

~~Subject to division (C) of section 3501.10 of the Revised~~ 2560  
~~Code, a board of elections may lease or otherwise acquire a site~~ 2561

~~different from the office of the board at which registered~~ 2562  
~~electors may vote pursuant to division (B) or (C) of this section.~~ 2563

(E) Upon receiving a change of residence or change of name 2564  
form, the board of elections shall immediately send the registrant 2565  
an acknowledgment notice. If the change of residence or change of 2566  
name form is valid, the board shall update the voter's 2567  
registration as appropriate. If that form is incomplete, the board 2568  
shall inform the registrant in the acknowledgment notice specified 2569  
in this division of the information necessary to complete or 2570  
update that registrant's registration. 2571

(F) Change of residence and change of name forms shall be 2572  
available at each polling place, and when these forms are 2573  
completed, noting changes of residence or name, as appropriate, 2574  
they shall be filed with election officials at the polling place. 2575  
Election officials shall return completed forms, together with the 2576  
pollbooks and tally sheets, to the board of elections. 2577

The board of elections shall provide change of residence and 2578  
change of name forms to the probate court and court of common 2579  
pleas. The court shall provide the forms to any person eighteen 2580  
years of age or older who has a change of name by order of the 2581  
court or who applies for a marriage license. The court shall 2582  
forward all completed forms to the board of elections within five 2583  
days after receiving them. 2584

(G) A registered elector who otherwise would qualify to vote 2585  
under division (B) or (C) of this section but is unable to appear 2586  
at the office of the board of elections or, if pursuant to 2587  
division (C)(2) of section 3501.10 of the Revised Code the board 2588  
has designated another location in the county at which registered 2589  
electors may ~~vote~~cast absent voter's ballots in person before an 2590  
election, at that other location, on account of personal illness, 2591  
physical disability, or infirmity, may vote on the day of the 2592  
election if that registered elector does all of the following: 2593

(1) Makes a written application that includes all of the 2594  
information required under section 3509.03 of the Revised Code to 2595



the appropriate board for an absent voter's ballot on or after the 2596  
~~twenty-seventh~~twenty-first day prior to the election in which the 2597  
registered elector wishes to vote through ~~noon~~six p.m. of the 2598  
~~Saturday~~Friday prior to that election and requests that the 2599  
absent voter's ballot be sent to the address to which the 2600  
registered elector has moved if the registered elector has moved, 2601  
or to the address of that registered elector who has not moved but 2602  
has had a change of name; 2603

(2) Declares that the registered elector has moved or had a 2604  
change of name, whichever is appropriate, and otherwise is 2605  
qualified to vote under the circumstances described in division 2606  
(B) or (C) of this section, whichever is appropriate, but that the 2607  
registered elector is unable to appear at the board of elections 2608  
because of personal illness, physical disability, or infirmity; 2609

(3) Completes and returns along with the completed absent 2610  
voter's ballot a notice of change of residence indicating the 2611  
address to which the registered elector has moved, or a notice of 2612  
change of name, whichever is appropriate; 2613

(4) Completes and signs, under penalty of election 2614  
falsification, a statement attesting that the registered elector 2615  
has moved or had a change of name on or prior to the day before 2616  
the election, has voted by absent voter's ballot because of 2617  
personal illness, physical disability, or infirmity that prevented 2618  
the registered elector from appearing at the board of elections, 2619  
and will not vote or attempt to vote at any other location or by 2620  
absent voter's ballot mailed to any other location or address for 2621  
that particular election. 2622

**Sec. 3503.18.** (A)(1) The chief health officer of each 2623  
political subdivision and the director of health shall file with 2624  
the secretary of state and each board of elections, at least once 2625  
each month, the names, social security numbers, dates of birth, 2626  
dates of death, and residences of all persons, over eighteen years 2627  
of age, who have died within such subdivision or within this state 2628  
or another state, respectively, within such month. 2629

(2) The secretary of state and the director of health shall jointly establish a secure electronic system through which they shall exchange the information described in division (A)(1) of this section regarding the death of a registered elector.

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

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

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(D) Upon receiving a report required by this section, the ~~board of elections shall promptly cancel the registration of each elector named in the report~~ shall be promptly canceled by the secretary of state or the board of elections, as applicable. If a board of elections receives the report, and the report contains a residence address of an elector in a county other than the county in which the board of elections is located, the director shall promptly send a copy of the report to the appropriate board of elections, which shall cancel the registration.

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**Sec. 3503.19.** (A) Persons qualified to register or to change their registration because of a change of address or change of name may register or change their registration in person or through another person at any state or local office of a designated agency, at the office of the registrar or any deputy registrar of motor vehicles, at a public high school or vocational school, at a public library, at the office of a county treasurer,

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or at a branch office established by the board of elections, or in person, through another person, or by mail at the office of the secretary of state or at the office of a board of elections. A registered elector may also change the elector's registration on election day at any polling place where the elector is eligible to vote, in the manner provided under section 3503.16 of the Revised Code.

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

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

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

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

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

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

(b) Subject to division (B)(2)(c) of this section, an applicant may return the applicant's completed registration form by mail or through another person to any board of elections or the

office of the secretary of state. 2733

(c) A person who receives compensation for registering a voter shall return any registration form entrusted to that person by an applicant to any board of elections or to the office of the secretary of state. 2734  
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(d) If a board of elections or the office of the secretary of state receives a registration form under division (B)(2)(b) or (c) of this section before the thirtieth day before an election, the board or the office of the secretary of state, as applicable, shall forward the registration to the board of elections of the county in which the applicant is seeking to register to vote within ten days after receiving the application. If a board of elections or the office of the secretary of state receives a registration form under division (B)(2)(b) or (c) of this section on or after the thirtieth day before an election, the board or the office of the secretary of state, as applicable, shall forward the registration to the board of elections of the county in which the applicant is seeking to register to vote within thirty days after that election. 2738  
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(C)(1) A board of elections that receives a voter registration application and is satisfied as to the truth of the statements made in the registration form shall register the applicant not later than twenty business days after receiving the application, unless that application is received during the thirty days immediately preceding the day of an election. The board shall promptly notify the applicant in writing of each of the following: 2752  
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(a) The applicant's registration; 2759

(b) The precinct in which the applicant is to vote; 2760

(c) In bold type as follows: 2761

"Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification, a United States 2762  
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passport, or a copy of a current utility bill, bank statement, 2765  
government check, paycheck, or other government document, other 2766  
than this notification ~~or a notification of an election mailed by~~ 2767  
~~a board of elections~~, that shows the voter's name and current 2768  
address. Voters who do not provide one of these documents will 2769  
still be able to vote by providing ~~the last four digits of the~~ 2770  
voter's social security number and by casting a provisional 2771  
ballot. ~~Voters who do not have any of the above forms of~~ 2772  
~~identification, including a social security number, will still be~~ 2773  
~~able to vote by signing an affirmation swearing to the voter's~~ 2774  
~~identity under penalty of election falsification and by casting a~~ 2775  
~~provisional ballot."~~ 2776

The notification shall be by nonforwardable mail. If the mail 2777  
is returned to the board, it shall investigate and cause the 2778  
notification to be delivered to the correct address. 2779

(2) If, after investigating as required under division (C)(1) 2780  
of this section, the board is unable to verify the voter's correct 2781  
address, it shall cause the voter's name in the official 2782  
registration list and in the poll list or signature pollbook to be 2783  
marked to indicate that the voter's notification was returned to 2784  
the board. 2785

At the first election at which a voter whose name has been so 2786  
marked appears to vote, the voter shall be required to provide 2787  
identification to the election officials and to vote by 2788  
provisional ballot under section 3505.181 of the Revised Code. If 2789  
the provisional ballot is counted pursuant to division (B)(3) of 2790  
section 3505.183 of the Revised Code, the board shall correct that 2791  
voter's registration, if needed, and shall remove the indication 2792  
that the voter's notification was returned from that voter's name 2793  
on the official registration list and on the poll list or 2794  
signature pollbook. If the provisional ballot is not counted 2795  
pursuant to division (B)(4)(a)(i); or (v); ~~or (vi)~~ of section 2796  
3505.183 of the Revised Code, the voter's registration shall be 2797  
canceled. The board shall notify the voter by United States mail 2798  
of the cancellation. 2799

(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.

**Sec. 3503.20.** (A) The secretary of state, by rule, shall establish a secure online process for voter registration. The rules shall provide for all of the following:

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

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

(a) The application contains all of the required information, including the applicant's social security number;

(b) The applicant is qualified to register to vote; and

(c) The applicant attests to the truth and accuracy of the information submitted in the online application under penalty of election falsification using the applicant's Ohio driver's license number or the number of the applicant's Ohio identification card as proof of the applicant's identity.

(B) If an individual registers to vote or a registered elector updates the elector's name, address, or both under this section, the secretary of state shall obtain an electronic copy of the applicant's or elector's signature that is on file with the bureau of motor vehicles. That electronic signature shall be used as the applicant's or elector's signature on voter registration

records, for all election and signature-matching purposes. 2831

(C) The secretary of state shall employ whatever security 2832  
measures the secretary considers necessary to ensure the integrity 2833  
and accuracy of voter registration information submitted 2834  
electronically pursuant to this section. 2835

(D) The online voter registration application established 2836  
under division (A) of this section shall include the following 2837  
language: 2838

"By clicking the box below, I affirm all of the following 2839  
under penalty of election falsification: 2840

(1) I am the person whose name and identifying information is 2841  
provided on this form, and I desire to register to vote, or update 2842  
my voter registration, in the State of Ohio. 2843

(2) All of the information I have provided on this form is 2844  
true and correct as of the date I am submitting this form. 2845

(3) I authorize the Bureau of Motor Vehicles to transmit to 2846  
the Ohio Secretary of State my signature that is on file with the 2847  
Bureau of Motor Vehicles, and I understand and agree that the 2848  
signature transmitted by the Bureau of Motor Vehicles will be used 2849  
by the Secretary of State to validate this electronic voter 2850  
registration application as if I had signed this form personally." 2851

In order to register to vote or update a voter registration 2852  
under division (A) of this section, an applicant or elector shall 2853  
be required to mark the box in the online voter registration 2854  
application that appears in conjunction with the previous 2855  
statement. 2856

(E) The online voter registration process established under 2857  
division (A) of this section shall be in operation and available 2858  
for use by individuals who wish to register to vote or update 2859  
their voter registration information online not later than July 1, 2860  
2012. 2861



<b>Sec. 3503.21.</b> (A) The registration of a registered elector shall be canceled upon the occurrence of any of the following:	2862 2863
(1) The filing by a registered elector of a written request with a board of elections, on a form prescribed by the secretary of state and signed by the elector, that the registration be canceled. The filing of such a request does not prohibit an otherwise qualified elector from reregistering to vote at any time.	2864 2865 2866 2867 2868 2869
(2) <u>The filing of a notice of the death of a registered elector as provided in section 3503.18 of the Revised Code;</u>	2870 2871
(3) <u>The filing with the board of elections of a certified copy of the death certificate of a registered elector by the deceased elector's spouse, parent, or child, by the administrator of the deceased elector's estate, or by the executor of the deceased elector's will;</u>	2872 2873 2874 2875 2876
(4) The conviction of the registered elector of a felony under the laws of this state, any other state, or the United States as provided in section 2961.01 of the Revised Code;	2877 2878 2879
<del>(3)</del> (5) The adjudication of incompetency of the registered elector for the purpose of voting as provided in section 5122.301 of the Revised Code;	2880 2881 2882
<del>(5)</del> (6) The change of residence of the registered elector to a location outside the county of registration in accordance with division (B) of this section;	2883 2884 2885
<del>(6)</del> (7) The failure of the registered elector, after having been mailed a confirmation notice, to do either of the following:	2886 2887
(a) Respond to such a notice and vote at least once during a period of four consecutive years, which period shall include two general federal elections;	2888 2889 2890

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

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

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

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

(D) ~~Boards of elections shall send their voter registration information to the secretary of state as required under section 3503.15 of the Revised Code.~~ In the first quarter of each ~~odd-numbered year, the secretary of state~~ each board of elections shall send the voter-registration information of each person

registered to vote in the applicable county to the national change 2925  
of address service described in division (B) of this section and 2926  
request that service to provide the ~~secretary of state~~board of 2927  
elections with a list of any voters sent by the ~~secretary of~~ 2928  
stateboard of elections who have moved within the last ~~thirty-six~~ 2929  
twelve months. The secretary of state shall transmit to each 2930  
appropriate board of elections whatever lists the secretary of 2931  
state receives Upon receipt of a response from that service. ~~The,~~ 2932  
the board shall send a notice to each person on the list 2933  
transmitted by ~~the secretary of state~~that service requesting 2934  
confirmation of the person's change of address, together with a 2935  
postage prepaid, preaddressed return envelope containing a form on 2936  
which the voter may verify or correct the change of address 2937  
information. 2938

(E) The registration of a registered elector described in 2939  
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 2940  
later than one hundred twenty days after the date of the second 2941  
general federal election in which the elector fails to vote or not 2942  
later than one hundred twenty days after the expiration of the 2943  
four-year period in which the elector fails to vote or respond to 2944  
a confirmation notice, whichever is later. 2945

**Sec. 3503.22.** A board of elections may send an acknowledgment 2946  
notice as prescribed by the secretary of state to any registered 2947  
elector at any time to facilitate the maintenance and accuracy of 2948  
the statewide voter registration database. 2949

**Sec. 3503.24.** (A) Application for the correction of any 2950  
precinct registration list or a challenge of the right to vote of 2951  
any registered elector may be made by any qualified elector of the 2952  
county at the office of the board of elections not later than 2953  
twenty days prior to the election. The applications or challenges, 2954  
with the reasons for the application or challenge, shall be filed 2955  
with the board on a form prescribed by the secretary of state and 2956  
shall be signed under penalty of election falsification. 2957

(B) On receiving an application or challenge filed under this 2958

section, the board of elections promptly shall review the board's  
records. If the board is able to determine that an application or  
challenge should be granted or denied solely on the basis of the  
records maintained by the board, the board immediately shall vote  
to grant or deny that application or challenge.

If the board is not able to determine whether an application  
or challenge should be granted or denied solely on the basis of  
the records maintained by the board, the director shall promptly  
set a time and date for a hearing before the board. ~~Except as  
otherwise provided in division (D) of this section, the~~ The  
hearing shall be held, and the application or challenge shall be  
decided, no later than ten days after the board receives the  
application or challenge. The director shall send written notice  
to any elector whose right to vote is challenged and to any person  
whose name is alleged to have been omitted from a registration  
list. The notice shall inform the person of the time and date of  
the hearing, and of the person's right to appear and testify, call  
witnesses, and be represented by counsel. The notice shall be sent  
by first class mail no later than three days before the day of any  
scheduled hearing. The director shall also provide the person who  
filed the application or challenge with such written notice of the  
date and time of the hearing.

At the request of either party or any member of the board,  
the board shall issue subpoenas to witnesses to appear and testify  
before the board at a hearing held under this section. All  
witnesses shall testify under oath. The board shall reach a  
decision on all applications and challenges immediately after  
hearing.

(C) If the board decides that any such person is not entitled  
to have the person's name on the registration list, the person's  
name shall be removed from the list and the person's registration  
forms canceled. If the board decides that the name of any such  
person should appear on the registration list, it shall be added  
to the list, and the person's registration forms placed in the  
proper registration files. All such corrections and additions

shall be made on a copy of the precinct lists, which shall  
constitute the poll lists, to be furnished to the respective  
precincts with other election supplies on the day preceding the  
election, to be used by the election officials in receiving the  
signatures of voters and in checking against the registration  
forms.

~~(D)(1) If an application or challenge for which a hearing is  
required to be conducted under division (B) of this section is  
filed after the thirtieth day before the day of an election, the  
board of elections, in its discretion, may postpone that hearing  
and any notifications of that hearing until after the day of the  
election. Any hearing postponed under this division shall be  
conducted not later than ten days after the day of the election.~~

~~(2) The board of elections shall cause the name of any  
registered elector whose registration is challenged and whose  
challenge hearing is postponed under division (D)(1) of this  
section to be marked in the official registration list and in the  
poll list or signature pollbook for that elector's precinct to  
indicate that the elector's registration is subject to challenge.~~

~~(3) Any elector who is the subject of an application or  
challenge hearing that is postponed under division (D)(1) of this  
section shall be permitted to vote a provisional ballot under  
section 3505.181 of the Revised Code. The validity of a  
provisional ballot cast pursuant to this section shall be  
determined in accordance with section 3505.183 of the Revised  
Code, except that no such provisional ballot shall be counted  
unless the hearing conducted under division (B) of this section  
after the day of the election results in the elector's inclusion  
in the official registration list.~~

**Sec. 3503.26.** (A) All registration forms and lists, when not  
in official use by the registrars or judges of elections precinct  
election officials, shall be in the possession of the board of  
elections. Names and addresses of electors may be copied from the  
registration lists only in the office of the board when it is open

for business; but no such copying shall be permitted during the  
period of time commencing twenty-one days before an election and  
ending on the eleventh day after an election if such copying will,  
in the opinion of the board, interfere with the necessary work of  
the board. The board shall keep in convenient form and available  
for public inspection a correct set of the registration lists of  
all precincts in the county.

(B) Notwithstanding division (A) of this section, the board  
of elections shall maintain and make available for public  
inspection and copying at a reasonable cost all records concerning  
the implementation of programs and activities conducted for the  
purpose of ensuring the accuracy and currency of voter  
registration lists, including the names and addresses of all  
registered electors sent confirmation notices and whether or not  
the elector responded to the confirmation notice. The board shall  
maintain all records described in this division for a period of  
two years.

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

(1) The applicable deadlines for registering to vote or for  
returning an applicant's completed registration form;

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

(3) The locations to which a person may return an applicant's  
completed registration form;

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

(5) ~~The registration and affirmation requirements applicable~~

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

~~(6)~~ A notice, which shall be written in bold type, stating as follows:

"Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification, a United States passport, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than ~~a notice of an election or~~ a voter registration notification sent by a board of elections, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing ~~the last four digits of~~ the voter's social security number and by casting a provisional ballot. ~~Voters who do not have any of the above forms of identification, including a social security number, will still be able to vote by signing an affirmation swearing to the voter's identity under penalty of election falsification and by casting a provisional ballot.~~"

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

~~(C)~~(1) The secretary of state shall provide the information required to be included in the brochure developed under division (A) of this section to any person who prints a voter registration form that is made available on a web site of the office of the secretary of state.

(2) If a board of elections operates and maintains a web site, the board shall provide the information required to be included in the brochure developed under division (A) of this

section to any person who prints a voter registration form that is  
made available on that web site.

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

~~(1) An election official;~~

~~(2) A county treasurer;~~

~~(3) A deputy registrar of motor vehicles;~~

~~(4) An employee of a designated agency;~~

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

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

~~(7) An employee of a public library;~~

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

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

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

~~(11) An employee of an election official.~~

~~(E)(C)~~ As used in this section, "registering voters" includes  
any effort, for compensation, to provide voter registration forms  
or to assist persons in completing or returning those forms.

**Sec. 3504.01.** A former elector of this state is eligible to  
vote a presidential ballot in the presidential general election  
held in this state in person or by mail if the former elector  
meets all of the following conditions:



(A) The former elector moved out of this state not more than 3119  
thirty days before the day of the presidential general election; 3120

(B) The former elector has not resided in the elector's new 3121  
state of residence long enough to be eligible to vote in the 3122  
presidential general election; 3123

(C) The former elector was registered to vote in this state 3124  
at the time the former resident ceased to be a resident of this 3125  
state; and 3126

(D) The former elector would be eligible to vote in this 3127  
state if the former elector was a resident of this state. 3128

**Sec. 3504.02.** ~~Any citizen~~ A former elector of this state who 3129  
desires to vote in a presidential general election under this 3130  
chapter shall submit a completed certificate of intent to vote 3131  
for presidential and vice-presidential electors not later than 3132  
four p.m. of the thirtieth day prior to the date of the 3133  
presidential election, complete a certificate of intent to vote 3134  
for presidential and vice-presidential electors twelve noon of the 3135  
third day before the day of the election. The certificate of 3136  
intent shall be completed ~~in duplicate~~ on a form prescribed by the 3137  
secretary of state that may be obtained and filed personally in 3138  
the office of the board of elections of the county in which such 3139  
person last resided before removal from this state, or mailed to 3140  
such board of elections. 3141

Immediately following the spaces on the certificate for 3142  
inserting information as requested by the secretary of state, the 3143  
following statement shall be printed: "I declare under penalty of 3144  
election falsification that the statements ~~herein~~ contained herein 3145  
are true to the best of my knowledge and belief; that I am legally 3146  
qualified to vote; that I am not ~~registered~~ eligible to vote in 3147  
the presidential general election in any other state; and that I 3148  
have not voted in an election in any other state since removing 3149  
myself from the state of Ohio. 3150

.....	3151
Signature of applicant	3152
.....	3153
Date	3154

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	3155
OF THE FIFTH DEGREE."	3156

<u>The former elector also shall submit with the certificate of</u>	3157
<u>intent to vote for presidential and vice-presidential electors a</u>	3158
<u>properly completed and signed Ohio voter registration cancellation</u>	3159
<u>request on a form prescribed by the secretary of state.</u>	3160

<b>Sec. 3504.04.</b> On or before <u>the day of a presidential general</u>	3161
election <del>day</del> , the director of the board of elections shall deliver	3162
to the polling place a list of persons who have filed certificates	3163
of intent to vote as former resident voters and who appear, from	3164
their voting address, entitled to vote at such polling place.	3165
Those persons whose names appear on the list of former resident	3166
voters, and who have otherwise complied with sections 3504.01 to	3167
3504.06 of the Revised Code, shall then be entitled to vote for	3168
presidential and vice-presidential electors only at their polling	3169
place on election day or by absent voter's ballots. Such voter who	3170
votes at that voter's polling place on election day shall sign	3171
that voter's name in the poll book or poll list followed by,	3172
"Former Resident's Presidential Ballot." Qualified former	3173
residents shall be entitled to cast absent voter's ballots for	3174
presidential and vice-presidential electors.	3175

<b>Sec. 3504.05.</b> The director of the board of elections shall	3176
<del>forward copies of all certificates</del> <u>electronically transmit any</u>	3177
<u>certificate</u> of intent received from <u>a former residents</u> <del>elector</del> to	3178
the secretary of state <del>no later than the twenty fifth day prior to</del>	3179
<del>the day of the election in which such former resident desires to</del>	3180
<del>vote</del> <u>within one business day.</u> Upon receipt of such certificate,	3181
the secretary of state shall immediately notify the chief	3182
elections officer of the state of each applicant's prior residence	3183
of the fact that such applicant has declared <del>his</del> <u>the applicant's</u>	3184

intention to vote for presidential and vice-presidential electors 3185  
in this state. 3186

**Sec. 3505.05.** At any time prior to the seventieth day before 3187  
the day of an election at which a question or issue, other than a 3188  
statewide question or issue, is certified to appear on the ballot, 3189  
the political subdivision, taxing authority, or other entity that 3190  
placed the issue on the ballot may remove that issue from the 3191  
ballot using the same process that the entity used to originally 3192  
certify the issue for placement on the ballot. 3193

Upon receipt of a notification that a question or issue has 3194  
been withdrawn, the board of elections shall remove that question 3195  
or issue from the ballot. 3196

**Sec. 3505.07.** (A) If the board of elections, by a unanimous 3197  
vote of its members, or if the secretary of state, in the 3198  
secretary of state's sole discretion, finds it impracticable to 3199  
place the names of candidates for any office of a minor political 3200  
subdivision in the county or the wording of any question or issue 3201  
to be voted upon in such minor political subdivision on the 3202  
ballots under sections 3505.01 to 3505.09 of the Revised Code, 3203  
then such board may, or at the direction of the secretary of state 3204  
shall, provide separate ballots for the candidates, question, or 3205  
issue. 3206

(B) If the secretary of state, in the secretary of state's 3207  
sole discretion, determines that it is impracticable to place the 3208  
names of candidates for any office or the wording for any question 3209  
or issue to be voted upon on the ballot when the candidates, 3210  
question, issue, or wording for the question or issue was ordered 3211  
onto the ballot by a court of competent jurisdiction and the 3212  
ballots have been printed prior to the court order, the board of 3213  
elections, at the direction of the secretary of state, shall 3214  
provide separate ballots for the candidates, question, or issue. 3215

(C) All separate ballots provided for in this section shall 3216  
conform in quality of paper, style of printing, form of ballot, 3217  
arrangement of names, and in all other ways, in so far as 3218

practicable, with the provisions relating to the printing of the 3219  
general official ballot. ~~Separate ballot boxes shall be provided~~ 3220  
~~for each such separate kind of ballot.~~ 3221

**Sec. 3505.08.** (A) Ballots shall be provided by the board of 3222  
elections for all general and special elections. The ballots shall 3223  
be printed with black ink on No. 2 white book paper fifty pounds 3224  
in weight per ream assuming such ream to consist of five hundred 3225  
sheets of such paper twenty-five by thirty-eight inches in size. 3226  
Each ballot shall have attached at the top two stubs, each of the 3227  
width of the ballot and not less than one-half inch in length, 3228  
except that, if the board of elections has an alternate method to 3229  
account for the ballots that the secretary of state has 3230  
authorized, each ballot may have only one stub that shall be the 3231  
width of the ballot and not less than one-half inch in length. In 3232  
the case of ballots with two stubs, the stubs shall be separated 3233  
from the ballot and from each other by perforated lines. The top 3234  
stub shall be known as Stub B and shall have printed on its face 3235  
"Stub B." The other stub shall be known as Stub A and shall have 3236  
printed on its face "Stub A." Each stub shall also have printed on 3237  
its face "Consecutive Number ....." 3238

Each ballot of each kind of ballot provided for use in each 3239  
precinct shall be numbered consecutively beginning with number 1 3240  
by printing such number upon both of the stubs attached to the 3241  
ballot. On ballots bearing the names of candidates, each 3242  
candidate's name shall be printed in twelve point boldface upper 3243  
case type in an enclosed rectangular space, and an enclosed blank 3244  
rectangular space shall be provided at the left of the candidate's 3245  
name. The name of the political party of a candidate nominated at 3246  
a primary election or certified by a party committee shall be 3247  
printed in ten point lightface upper and lower case type and shall 3248  
be separated by a two point blank space. The name of each 3249  
candidate shall be indented one space within the enclosed 3250  
rectangular space, and the name of the political party shall be 3251  
indented two spaces within the enclosed rectangular space. 3252

The title of each office on the ballots shall be printed in 3253

twelve point boldface upper and lower case type in a separate enclosed rectangular space. A four point rule shall separate the name of a candidate or a group of candidates for the same office from the title of the office next appearing below on the ballot; a two point rule shall separate the title of the office from the names of candidates; and a one point rule shall separate names of candidates. Headings shall be printed in display Roman type. When the names of several candidates are grouped together as candidates for the same office, there shall be printed on the ballots immediately below the title of the office and within the separate rectangular space in which the title is printed "Vote for not more than ....., " in six point boldface upper and lower case filling the blank space with that number which will indicate the number of persons who may be lawfully elected to the office.

Columns on ballots shall be separated from each other by a heavy vertical border or solid line at least one-eighth of an inch wide, and a similar vertical border or line shall enclose the left and right side of ballots. Ballots shall be trimmed along the sides close to such lines.

The ballots provided for by this section shall be comprised of four kinds of ballots designated as follows: office type ballot; nonpartisan ballot; questions and issues ballot; and presidential ballot.

On the back of each office type ballot shall be printed "Official Office Type Ballot;" on the back of each nonpartisan ballot shall be printed "Official Nonpartisan Ballot;" on the back of each questions and issues ballot shall be printed "Official Questions and Issues Ballot;" and on the back of each presidential ballot shall be printed "Official Presidential Ballot." ~~On~~At the ~~back~~end of every ballot also shall be printed the date of the election at which the ballot is used and the facsimile signatures of the members of the board of the county in which the ballot is used. For the purpose of identifying the kind of ballot, the back of every ballot may be numbered in the order the board shall determine. The numbers shall be printed in not less than

thirty-six point type above the words "Official Office Type  
Ballot," "Official Nonpartisan Ballot," "Official Questions and  
Issues Ballot," or "Official Presidential Ballot," as the case may  
be. ~~Ballot boxes~~A ballot box bearing corresponding numbers shall  
be furnished for each precinct in which the above-described  
numbered ballots are used.

On the back of every ballot used, there shall be a solid  
black line printed opposite the blank rectangular space that is  
used to mark the choice of the voter. This line shall be printed  
wide enough so that the mark in the blank rectangular space will  
not be visible from the back side of the ballot.

Sample ballots may be printed by the board of elections for  
all general elections. The ballots shall be printed on colored  
paper, and "Sample Ballot" shall be plainly printed in boldface  
type on the face of each ballot. In counties of less than one  
hundred thousand population, the board may print not more than  
five hundred sample ballots; in all other counties, it may print  
not more than one thousand sample ballots. The sample ballots  
shall not be distributed by a political party or a candidate, nor  
shall a political party or candidate cause their title or name to  
be imprinted on sample ballots.

(B) Notwithstanding division (A) of this section, in  
approving the form of an official ballot, the secretary of state  
may authorize the use of fonts, type face settings, and ballot  
formats other than those prescribed in that division.

**Sec. 3505.11.** (A) The ballots, with the stubs attached,  
shall be bound into tablets for each precinct, which tablets shall  
contain at least one per cent more ballots than the total  
registration in the precinct, except as otherwise provided in  
division (B) of this section. Upon the covers of the tablets shall  
be written, printed, or stamped the designation of the precinct  
for which the ballots have been prepared. All official ballots  
shall be printed uniformly upon the same kind and quality of paper  
and shall be of the same shape, size, and type.

Electors who have failed to respond within thirty days to any  
confirmation notice shall not be counted in determining the number  
of ballots to be printed under this section.

(B)(1) A board of elections may choose to provide ballots on  
demand. If a board so chooses, the board shall have prepared for  
each precinct at least five per cent more ballots for an election  
than the number specified below for that kind of election:

(a) For a primary election or a special election held on the  
day of a primary election, the total number of electors in that  
precinct who voted in the primary election held four years  
previously or, if no primary election was held four years  
previously, the total number of electors in that precinct who  
voted in a similarly situated primary, as determined by the board;

(b) For a general election or a special election held on the  
day of a general election, the total number of electors in that  
precinct who voted in the general election held four years  
previously;

(c) For a special election held at any time other than on the  
day of a primary or general election, the total number of electors  
in that precinct who voted in the most recent primary or general  
election, whichever of those elections occurred in the precinct  
most recently.

(2) If, after the board complies with the requirements of  
division (B)(1) of this section, the election officials of a  
precinct determine that the precinct will not have enough ballots  
to enable all the qualified electors in the precinct who wish to  
vote at a particular election to do so, the officials shall  
request that the board provide additional ballots, and the board  
shall provide enough additional ballots, to that precinct in a  
timely manner so that all qualified electors in that precinct who  
wish to vote at that election may do so.

**Sec. 3505.13.** A contract for the printing of ballots  
involving a cost in excess of ~~ten~~twenty-five thousand dollars

shall not be let until after five days' notice published once in a  
leading newspaper published in the county or upon notice given by  
mail by the board of elections, addressed to the responsible  
printing offices within the state. Except as otherwise provided in  
this section, each bid for such printing must be accompanied by a  
bond with at least two sureties, or a surety company, satisfactory  
to the board, in a sum double the amount of the bid, conditioned  
upon the faithful performance of the contract for such printing as  
is awarded and for the payment as damages by such bidder to the  
board of any excess of cost over the bid which it may be obliged  
to pay for such work by reason of the failure of the bidder to  
complete the contract. No bid unaccompanied by such bond shall be  
considered by the board. The board may, however, waive the  
requirement that each bid be accompanied by a bond if the cost of  
the contract is ~~ten~~twenty-five thousand dollars or less. The  
contract shall be let to the lowest responsible bidder in the  
state. All ballots shall be printed within the state.

**Sec. 3505.16.** Before the opening of the polls, the package  
of supplies and the ballot ~~boxes~~box shall be opened in the  
presence of the precinct officials. The ballot ~~boxes~~box, the  
package of ballots, registration forms, and other supplies shall  
at all times be in full sight of the observers, and no ballot box  
or unused ballots during the balloting or counting shall be  
removed or screened from their full sight until the counting has  
been closed and the final returns completed and the certificate  
signed by the judges.

**Sec. 3505.17.** If by accident or casualty the ballots or  
other required papers, lists, or supplies are lost or destroyed,  
or in case none are delivered at the polling place, or if during  
the time the polls are open additional ballots or supplies are  
required, the board of elections, upon requisition by telephone or  
in writing and signed by a majority of the precinct election  
~~judges~~officials of the precinct stating why such additional  
supplies are needed, shall supply them as speedily as possible.

**Sec. 3505.18.** (A)(1) When an elector appears in a polling



place to vote, the elector shall announce to the precinct election officials the elector's full name and current address and provide proof of the elector's identity in the form of a current and valid photo identification, a military identification, a United States passport, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than ~~a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code~~ or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and current address of the elector. ~~If the elector provides either a driver's license or a state identification card issued under section 4507.50 of the Revised Code that does not contain the elector's current residence address, the elector shall provide the last four digits of the elector's driver's license number or state identification card number, and the precinct election official shall mark the poll list or signature pollbook to indicate that the elector has provided a driver's license or state identification card number with a former address and record the last four digits of the elector's driver's license number or state identification card number.~~

(2) If an elector ~~has but~~ does not have or is unable to provide to the precinct election officials any of the forms of identification required under division (A)(1) of this section, ~~but has a social security number, the elector may provide the last four digits of the elector's social security number. Upon providing the social security number information,~~ the elector may cast a provisional ballot under section 3505.181 of the Revised Code, ~~the envelope of which ballot shall include that social security number information~~ and do either of the following:

(a) Appear at the office of the board of elections not later than the close of the polls on the day of the election and provide the identification required under division (A)(1) of this section;  
or

(b) Write the elector's social security number on the

provisional ballot envelope, which number shall be verified by the 3426  
board of elections with the bureau of motor vehicles. 3427

~~(3) If an elector has but is unable to provide to the~~ 3428  
~~precinct election officials any of the forms of identification~~ 3429  
~~required under division (A)(1) of this section and if the elector~~ 3430  
~~has a social security number but is unable to provide the last~~ 3431  
~~four digits of the elector's social security number, the elector~~ 3432  
~~may cast a provisional ballot under section 3505.181 of the~~ 3433  
~~Revised Code.~~ 3434

~~(4) If an elector does not have any of the forms of~~ 3435  
~~identification required under division (A)(1) of this section and~~ 3436  
~~cannot provide the last four digits of the elector's social~~ 3437  
~~security number because the elector does not have a social~~ 3438  
~~security number, the elector may execute an affirmation under~~ 3439  
~~penalty of election falsification that the elector cannot provide~~ 3440  
~~the identification required under that division or the last four~~ 3441  
~~digits of the elector's social security number for those reasons.~~ 3442  
~~Upon signing the affirmation, the elector may cast a provisional~~ 3443  
~~ballot under section 3505.181 of the Revised Code. The secretary~~ 3444  
~~of state shall prescribe the form of the affirmation, which shall~~ 3445  
~~include spaces for all of the following:~~ 3446

~~(a) The elector's name;~~ 3447

~~(b) The elector's address;~~ 3448

~~(c) The current date;~~ 3449

~~(d) The elector's date of birth;~~ 3450

~~(e) The elector's signature.~~ 3451

~~(5) If an elector does not have any of the forms of~~ 3452  
~~identification required under division (A)(1) of this section and~~ 3453  
~~cannot provide the last four digits of the elector's social~~ 3454  
~~security number because the elector does not have a social~~ 3455  
~~security number, and if the elector declines to execute an~~ 3456

~~affirmation under division (A)(4) of this section, the elector may  
cast a provisional ballot under section 3505.181 of the Revised  
Code, the envelope of which ballot shall include the elector's  
name.~~

~~(6) If an elector has but declines to provide to the precinct  
election officials any of the forms of identification required  
under division (A)(1) of this section or the elector has a social  
security number but declines to provide to the precinct election  
officials the last four digits of the elector's social security  
number, the elector may cast a provisional ballot under section  
3505.181 of the Revised Code.~~

(B) After the elector has announced the elector's full name  
and current address and provided any of the forms of  
identification required under division (A)(1) of this section, the  
elector shall write the elector's ~~name and address~~signature at  
the proper place in the poll list or signature pollbook provided  
for the purpose, except that if, for any reason, an elector is  
unable to write the elector's ~~name and current address~~signature  
in the poll list or signature pollbook, the elector may make the  
elector's mark at the place intended for the elector's ~~name~~  
signature, and a precinct election official shall write the name  
of the elector at the proper place on the poll list or signature  
pollbook following the elector's mark. The making of such a mark  
shall be attested by the precinct election official, who shall  
evidence the same by signing the precinct election official's name  
on the poll list or signature pollbook as a witness to the mark.  
Alternatively, if applicable, an attorney in fact acting pursuant  
to section 3501.382 of the Revised Code may sign the elector's  
signature in the poll list or signature pollbook in accordance  
with that section.

The elector's signature in the poll list or signature  
pollbook then shall be compared with the elector's signature on  
the elector's registration form or a digitized signature list as  
provided for in section 3503.13 of the Revised Code, and if, in  
the opinion of a majority of the precinct election officials, the

signatures are the signatures of the same person, the election  
officials shall enter the date of the election on the registration  
form or shall record the date by other means prescribed by the  
secretary of state. The validity of an attorney in fact's  
signature on behalf of an elector shall be determined in  
accordance with section 3501.382 of the Revised Code.

If the right of the elector to vote is not then challenged,  
or, if being challenged, the elector establishes the elector's  
right to vote, the elector shall be allowed to proceed to use the  
voting machine. If voting machines are not being used in that  
precinct, the judge in charge of ballots shall then detach the  
next ballots to be issued to the elector from Stub B attached to  
each ballot, leaving Stub A attached to each ballot, hand the  
ballots to the elector, and call the elector's name and the stub  
number on each of the ballots. The judge shall enter the stub  
numbers opposite the signature of the elector in the pollbook. The  
elector shall then retire to one of the voting compartments to  
mark the elector's ballots. No mark shall be made on any ballot  
which would in any way enable any person to identify the person  
who voted the ballot.

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

(1) An individual who declares that the individual is a  
registered voter in the jurisdiction in which the individual  
desires to vote and that the individual is eligible to vote in an  
election, but the name of the individual does not appear on the  
official list of eligible voters for the polling place or an  
election official asserts that the individual is not eligible to  
vote;

~~(2) An individual who has a social security number and  
provides to the election officials the last four digits of the  
individual's social security number as permitted by division  
(A)(2) of section 3505.18 of the Revised Code;~~

~~(3) An individual who has but does not have or is unable to~~

provide to the election officials any of the forms of 3526  
identification required under division (A)(1) of section 3505.18 3527  
of the Revised Code ~~and who has a social security number but is~~ 3528  
~~unable to provide the last four digits of the individual's social~~ 3529  
~~security number as permitted under division (A)(2) of that~~ 3530  
~~section;~~ 3531

~~(4) An individual who does not have any of the forms of~~ 3532  
~~identification required under division (A)(1) of section 3505.18~~ 3533  
~~of the Revised Code, who cannot provide the last four digits of~~ 3534  
~~the individual's social security number under division (A)(2) of~~ 3535  
~~that section because the individual does not have a social~~ 3536  
~~security number, and who has executed an affirmation as permitted~~ 3537  
~~under division (A)(4) of that section;~~ 3538

~~(5)~~(3) An individual whose name in the poll list or signature 3539  
pollbook has been marked under section 3509.09 or 3511.13 of the 3540  
Revised Code as having requested an absent voter's ballot or ~~an~~ 3541  
~~armed service~~a uniformed services or overseas absent voter's 3542  
ballot for that election and who appears to vote at the polling 3543  
place; 3544

~~(6)~~(4) An individual whose notification of registration has 3545  
been returned undelivered to the board of elections and whose name 3546  
in the official registration list and in the poll list or 3547  
signature pollbook has been marked under division (C)(2) of 3548  
section 3503.19 of the Revised Code; 3549

~~(7)~~(5) An individual who is challenged under section 3505.20 3550  
of the Revised Code and the election officials determine that the 3551  
person is ineligible to vote or are unable to determine the 3552  
person's eligibility to vote; 3553

~~(8) An individual whose application or challenge hearing has~~ 3554  
~~been postponed until after the day of the election under division~~ 3555  
~~(D)(1) of section 3503.24 of the Revised Code;~~ 3556

~~(9)~~(6) An individual who ~~changes the individual's name and~~ 3557  
~~remains within the precinct,~~ moves from one precinct to another 3558

within a county, moves from one precinct to another and changes the individual's name, ~~or~~ moves from one county to another within the state, or moves from one county to another and changes the individual's name and completes and signs the required forms and statements under division (B) or (C) of section 3503.16 of the Revised Code;

~~(10)~~(7) An individual whose signature, in the opinion of the precinct officers under section 3505.22 of the Revised Code, is not that of the person who signed that name in the registration forms;

~~(11)~~(8) An individual who is challenged under section 3513.20 of the Revised Code who refuses to make the statement required under that section, who a majority of the precinct officials find lacks any of the qualifications to make the individual a qualified elector, or who a majority of the precinct officials find is not affiliated with or a member of the political party whose ballot the individual desires to vote;

~~(12) An individual who does not have any of the forms of identification required under division (A)(1) of section 3505.18 of the Revised Code, who cannot provide the last four digits of the individual's social security number under division (A)(2) of that section because the person does not have a social security number, and who declines to execute an affirmation as permitted under division (A)(4) of that section;~~

~~(13) An individual who has but declines to provide to the precinct election officials any of the forms of identification required under division (A)(1) of section 3501.18 of the Revised Code or who has a social security number but declines to provide to the precinct election officials the last four digits of the individual's social security number~~(9) An individual who is casting a ballot after the time for the closing of the polls under section 3501.32 of the Revised Code pursuant to a court order extending the time for the closing of the polls.

(B) An individual who is eligible to cast a provisional

ballot under division (A) of this section shall be permitted to  
cast a provisional ballot as follows:

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

(2) The individual shall be permitted to cast a provisional  
ballot at that polling place upon the execution of a written  
affirmation by the individual before an election official at the  
polling place stating that the individual is both of the  
following:

(a) A registered voter in the jurisdiction in which the  
individual desires to vote;

(b) Eligible to vote in that election.

If the individual declines to execute the affirmation, the  
election official shall not record any of the information required  
to be provided by the individual on the affirmation. The election  
official shall explain to the individual that the provisional  
ballot will not be counted.

(3) An election official at the polling place shall transmit  
the ballot cast by the individual, ~~and~~ the voter information  
contained in the written affirmation executed by the individual  
under division (B)(2) of this section, ~~or the individual's name if  
the individual declines to execute such an affirmation~~ to an  
appropriate local election official for verification ~~under  
division (B)(4) of this section.~~

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

~~(5)~~(a) At the time that an individual casts a provisional

ballot, the appropriate local election official shall give the  
individual written information that states that any individual who  
casts a provisional ballot will be able to ascertain under the  
system established under division (B)(5)(4)(b) of this section  
whether the vote was counted, and, if the vote was not counted,  
the reason that the vote was not counted.

(b) The appropriate state or local election official shall  
establish a free access system, in the form of a toll-free  
telephone number, that any individual who casts a provisional  
ballot may access to discover whether the vote of that individual  
was counted, and, if the vote was not counted, the reason that the  
vote was not counted. The free access system established under  
this division also shall provide to an individual whose  
provisional ballot was not counted information explaining how that  
individual may contact the board of elections to register to vote  
or to resolve problems with the individual's voter registration.

The appropriate state or local election official shall  
establish and maintain reasonable procedures necessary to protect  
the security, confidentiality, and integrity of personal  
information collected, stored, or otherwise used by the free  
access system established under this division. Access to  
information about an individual ballot shall be restricted to the  
individual who cast the ballot.

~~(6) If, at the time that an individual casts a provisional  
ballot, the individual provides identification in the form of a  
current and valid photo identification, a military identification,  
or a copy of a current utility bill, bank statement, government  
check, paycheck, or other government document, other than a notice  
of an election mailed by a board of elections under section  
3501.19 of the Revised Code or a notice of voter registration  
mailed by a board of elections under section 3503.19 of the  
Revised Code, that shows the individual's name and current  
address, or provides the last four digits of the individual's  
social security number, or executes an affirmation that the  
elector does not have any of those forms of identification or the~~



last four digits of the individual's social security number 3659  
because the individual does not have a social security number, or 3660  
declines to execute such an affirmation, the appropriate local 3661  
election official shall record the type of identification 3662  
provided, the social security number information, the fact that 3663  
the affirmation was executed, or the fact that the individual 3664  
declined to execute such an affirmation and include that 3665  
information with the transmission of the ballot or voter or 3666  
address information under division (B)(3) of this section. If the 3667  
individual declines to execute such an affirmation, the 3668  
appropriate local election official shall record the individual's 3669  
name and include that information with the transmission of the 3670  
ballot under division (B)(3) of this section. 3671

(7) If an individual casts a provisional ballot pursuant to 3672  
division (A)(3), (7), (8), (12), or (13) of this section, the 3673  
election official shall indicate, on the provisional ballot 3674  
verification statement required under section 3505.182 of the 3675  
Revised Code, that the individual is required to provide 3676  
additional information to the board of elections or that an 3677  
application or challenge hearing has been postponed with respect 3678  
to the individual, such that additional information is required 3679  
for the board of elections to determine the eligibility of the 3680  
individual who cast the provisional ballot. 3681

(8) During the ten days after the day of an election, an 3682  
individual who casts a provisional ballot pursuant to division 3683  
(A)(3), (7), (12), or (13) of this section shall appear at the 3684  
office of the board of elections and provide to the board any 3685  
additional information necessary to determine the eligibility of 3686  
the individual who cast the provisional ballot. 3687

(a) For a provisional ballot cast pursuant to division 3688  
(A)(3), (12), or (13) of this section to be eligible to be 3689  
counted, the individual who cast that ballot, within ten days 3690  
after the day of the election, shall do any of the following: 3691

(i) Provide to the board of elections proof of the 3692

individual's identity in the form of a current and valid photo	3693
identification, a military identification, or a copy of a current	3694
utility bill, bank statement, government check, paycheck, or other	3695
government document, other than a notice of an election mailed by	3696
a board of elections under section 3501.19 of the Revised Code or	3697
a notice of voter registration mailed by a board of elections	3698
under section 3503.19 of the Revised Code, that shows the	3699
individual's name and current address;	3700
 (ii) Provide to the board of elections the last four digits	3701
of the individual's social security number;	3702
 (iii) In the case of a provisional ballot executed pursuant	3703
to division (A)(12) of this section, execute an affirmation as	3704
permitted under division (A)(4) of section 3505.18 of the Revised	3705
Code.	3706
 (b) For a provisional ballot cast pursuant to division (A)(7)	3707
of this section to be eligible to be counted, the individual who	3708
cast that ballot, within ten days after the day of that election,	3709
shall provide to the board of elections any identification or	3710
other documentation required to be provided by the applicable	3711
challenge questions asked of that individual under section 3505.20	3712
of the Revised Code.	3713
 (C)(1) If an individual declares that the individual is	3714
eligible to vote in a jurisdiction other than the jurisdiction in	3715
which the individual desires to vote, or if, upon review of the	3716
precinct voting location guide using the residential street	3717
address provided by the individual, an election official at the	3718
polling place at which the individual desires to vote determines	3719
that the individual is not eligible to vote in that jurisdiction,	3720
the election official <del>shall</del> <u>may</u> direct the individual to the	3721
polling place for the jurisdiction in which the individual appears	3722
to be eligible to vote, explain that the individual may cast a	3723
provisional ballot at the current location but the ballot will not	3724
be counted if it is cast in the wrong precinct, and provide the	3725
telephone number of the board of elections in case the individual	3726

has additional questions. It is the duty of the individual casting the ballot to ensure that the individual is casting that ballot in the correct precinct.

(2) ~~If the~~ The individual refuses to travel to the polling place for the correct jurisdiction or to the office of the board of elections to cast a ballot, or the individual shall be permitted to vote a provisional ballot at that jurisdiction in accordance with division (B) of this section. If any of the following apply, the provisional ballot cast by that individual shall not be opened or counted:

(a) ~~The individual is not properly registered in that jurisdiction.~~

(b) ~~The individual is not eligible to vote in that election in that jurisdiction.~~

(c) ~~The individual's eligibility to vote in that jurisdiction in that election cannot be established upon examination of the records on file with the board of elections.~~

(3) If an election official attempts to direct an individual to the correct precinct under division (C)(1) of this section, and the individual subsequently casts a ballot in the wrong precinct, both of the following apply:

(a) That ballot shall not be counted.

(b) The ballot being cast in the wrong precinct shall not be considered to be caused by an error on the part of the election official.

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

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

(1) "Jurisdiction" means the precinct in which a person is a legally qualified elector.	3757 3758
(2) "Precinct voting location guide" means either of the following:	3759 3760
(a) An electronic or paper record that lists the correct jurisdiction 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;	3761 3762 3763 3764 3765
(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 jurisdiction and polling place of any qualified elector who resides in the county.	3766 3767 3768 3769 3770
(3) "Voting information" means all of the following:	3771
(a) A sample version of the ballot that will be used for that election;	3772 3773
(b) Information regarding the date of the election and the hours during which polling places will be open;	3774 3775
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	3776 3777
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	3778 3779
(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;	3780 3781 3782 3783 3784

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

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

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

~~"Provisional Ballot Affirmation~~

~~STATE OF OHIO~~

~~I, ..... (Name of provisional voter), solemnly swear or affirm that I am a registered voter in the jurisdiction in which I am voting this provisional ballot and that I am eligible to vote in the election in which I am voting this provisional ballot.~~

~~I understand that, if the above provided information is not fully completed and correct, if the board of elections determines that I am not registered to vote, a resident of this precinct, or eligible to vote in this election, or if the board of elections determines that I have already voted in this election, my provisional ballot will not be counted. I further understand that knowingly providing false information is a violation of law and~~

subjects me to possible criminal prosecution. 3816

I hereby declare, under penalty of election falsification, 3817  
that the above statements are true and correct to the best of my 3818  
knowledge and belief. 3819

(Signature of Voter) 3820  
3821

(Voter's date of birth) 3822  
3823

The last four digits of the voter's 3824  
social security number 3825

(To be provided if the voter is unable 3826  
to provide a current and valid photo  
identification, a military  
identification, or a current utility bill,  
bank statement, government check,  
paycheck, or other government  
document, other than a notice of an  
election mailed by a board of  
elections under section 3501.19 of the  
Revised Code or a notice of voter  
registration mailed by a board of  
elections under section 3503.19 of the  
Revised Code, that shows the voter's  
name and current address but is able  
to provide these last four digits)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 3827  
FELONY 3828  
OF THE FIFTH DEGREE.

Additional Information For Determining Ballot Validity 3829

(May be completed at voter's discretion) 3830

Voter's current address: 3831

Voter's former address if photo 3832

identification does not contain voter's current address	
<del>Voter's driver's license number</del> or, if not provided above, the last four digits of voter's social security number	3833
(Please circle number type)	3834
(Voter may attach a copy of any of the following for identification purposes: a current and valid photo identification, a military identification, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address.)	3835
Reason for voting provisional ballot (Check one):	3836
----- Requested, but did not receive, absent voter's ballot	3837
----- Other	3838
 Verification Statement	 3839
 (To be completed by election official)	 3840
 The Provisional Ballot Affirmation printed above was	 3841
subscribed and affirmed before me this ..... day of	3842
..... (Month), ..... (Year):	3843
 (If applicable, the election official must check the	 3844
following true statement concerning additional information needed	3845
to determine the eligibility of the provisional voter.)	3846
 ----- The provisional voter is required to provide	 3847
additional information to the board of elections.	3848
 ----- An application or challenge hearing regarding this	 3849
voter has been postponed until after the election.	3850
 (The election official must check the following true	 3851
statement concerning identification provided by the provisional	3852

voter, if any.)	3853
..... The provisional voter provided a current and valid photo identification.	3854 3855
..... The provisional voter provided a current valid photo identification, other than a driver's license or a state identification card, with the voter's former address instead of current address and has provided the election official both the current and former addresses.	3856 3857 3858 3859 3860
..... The provisional voter provided a military identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter's name and current address.	3861 3862 3863 3864 3865 3866 3867 3868
..... The provisional voter provided the last four digits of the voter's social security number.	3869 3870
..... The provisional voter is not able to provide a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter's name and current address but does have one of these forms of identification. The provisional voter must provide one of the foregoing items of identification to the board of elections within ten days after the election.	3871 3872 3873 3874 3875 3876 3877 3878 3879 3880 3881
..... The provisional voter is not able to provide a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an	3882 3883 3884 3885



~~election mailed by a board of elections under section 3501.19 of  
the Revised Code or a notice of voter registration mailed by a  
board of elections under section 3503.19 of the Revised Code, with  
the voter's name and current address but does have one of these  
forms of identification. Additionally, the provisional voter does  
have a social security number but is not able to provide the last  
four digits of the voter's social security number before voting.  
The provisional voter must provide one of the foregoing items of  
identification or the last four digits of the voter's social  
security number to the board of elections within ten days after  
the election.~~

~~..... The provisional voter does not have a current and valid  
photo identification, a military identification, a copy of a  
current utility bill, bank statement, government check, paycheck,  
or other government document with the voter's name and current  
address, or a social security number, but has executed an  
affirmation.~~

~~..... The provisional voter does not have a current and valid  
photo identification, a military identification, a copy of a  
current utility bill, bank statement, government check, paycheck,  
or other government document with the voter's name and current  
address, or a social security number, and has declined to execute  
an affirmation.~~

~~..... The provisional voter declined to provide a current and  
valid photo identification, a military identification, a copy of a  
current utility bill, bank statement, government check, paycheck,  
or other government document with the voter's name and current  
address, or the last four digits of the voter's social security  
number but does have one of these forms of identification or a  
social security number. The provisional voter must provide one of  
the foregoing items of identification or the last four digits of  
the voter's social security number to the board of elections  
within ten days after the election.~~

3919

<del>(Signature of Election Official)"</del>	3920
<del>In addition to any information required to be included on the</del>	3921
<del>written affirmation, an individual casting a provisional ballot</del>	3922
<del>may provide additional information to the election official to</del>	3923
<del>assist the board of elections in determining the individual's</del>	3924
<del>eligibility to vote in that election, including the date and</del>	3925
<del>location at which the individual registered to vote, if known.</del>	3926
<del>If the individual declines to execute the affirmation, an</del>	3927
<del>appropriate local election official shall comply with division</del>	3928
<del>(B)(6) of section 3505.181 of the Revised Code.</del>	3929
<b>Sec. 3505.183.</b> (A) When the ballot boxes are delivered to	3930
the board of elections from the precincts, the board shall	3931
separate the provisional ballot envelopes from the rest of the	3932
ballots. Teams of employees of the board consisting of one member	3933
of each major political party shall place the sealed provisional	3934
ballot envelopes in a secure location within the office of the	3935
board. The sealed provisional ballot envelopes shall remain in	3936
that secure location until the validity of those ballots is	3937
determined under division (B) of this section. <del>While the</del>	3938
<del>provisional ballot is stored in that secure location, and prior to</del>	3939
<del>the counting of the provisional ballots, if the board receives</del>	3940
<del>information regarding the validity of a specific provisional</del>	3941
<del>ballot under division (B) of this section, the board may note, on</del>	3942
<del>the sealed provisional ballot envelope for that ballot, whether</del>	3943
<del>the ballot is valid and entitled to be counted.</del>	3944
(B)(1) To determine whether a provisional ballot is valid and	3945
entitled to be counted, the board shall examine <del>its</del> <u>the</u>	3946
<u>affirmation executed by the provisional voter, the statewide voter</u>	3947
<u>registration database, and other records maintained by the board</u>	3948
<u>of elections</u> and determine whether the individual who cast the	3949
provisional ballot is registered and eligible to vote in the	3950
applicable election. The board shall examine the information	3951
contained in the written affirmation executed by the individual	3952
who cast the provisional ballot under division (B)(2) of section	3953

3505.181 of the Revised Code. ~~If the individual declines to~~ 3954  
~~execute such an affirmation, the individual's name, written by~~ 3955  
~~either the individual or the election official at the direction of~~ 3956  
~~the individual, shall be included in a written affirmation in~~ 3957  
~~order for the provisional ballot to be eligible to be counted;~~ 3958  
~~otherwise, the~~ If the provisional voter provided identification at 3959  
the board of elections prior to the close of the polls under 3960  
division (A)(2)(a) of section 3505.18 of the Revised Code, the 3961  
board of elections shall match that voter's provisional ballot 3962  
envelope with the corresponding voter's identification and 3963  
consider that provisional voter to have provided the required 3964  
identification at the polling place at the time the ballot was 3965  
cast when determining the validity of the provisional ballot. If 3966  
the provisional voter provided the individual's social security 3967  
number on the provisional ballot envelope under division (A)(2)(b) 3968  
of that section, the board of elections shall verify that voter's 3969  
social security number with records maintained by the bureau of 3970  
motor vehicles. If those records correspond, the board of 3971  
elections shall consider that provisional voter to have provided 3972  
the required identification at the polling place at the time the 3973  
ballot was cast. 3974

The following information shall be included by the 3975  
provisional voter in the written affirmation in order for the 3976  
provisional ballot to be eligible to be counted: 3977

(a) The individual's printed name ~~and~~; 3978

(b) The individual's signature; 3979

~~(b)~~(c) The individual's date of birth; 3980

(d) One of the following: 3981

(i) The individual's social security number; 3982

(ii) The individual's driver's license number; 3983

(iii) The individual's state identification card number; 3984

<u>(iv) Except as otherwise provided in division (B)(1) of this section, an affirmative notation that the individual provided the required identification under division (A)(1) of section 3505.18 of the Revised Code;</u>	3985 3986 3987 3988
<u>(e) The individual's residence address;</u>	3989
<u>(f) A statement that the individual is a registered voter in the jurisdiction in which the provisional ballot is being voted;</u>	3990 3991
<del>(e)</del> <u>(g)</u> A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted.	3992 3993
<del>(2) In addition to the information required to be included in an affirmation under division (B)(1) of this section, in determining whether a provisional ballot is valid and entitled to be counted, the board also shall examine any additional information for determining ballot validity provided by the provisional voter on the affirmation, provided by the provisional voter to an election official under section 3505.182 of the Revised Code, or provided to the board of elections during the ten days after the day of the election under division (B)(8) of section 3505.181 of the Revised Code, to assist the board in determining the individual's eligibility to vote.</del>	3994 3995 3996 3997 3998 3999 4000 4001 4002 4003 4004
<del>(3)</del> If, in examining a provisional ballot affirmation <del>and additional information under divisions (B)(1) and (2) of this section,</del> the board determines that all of the following apply, the provisional ballot envelope shall be opened, and the ballot shall be placed in a ballot box to be counted:	4005 4006 4007 4008 4009
(a) The individual named on the affirmation is properly registered to vote.	4010 4011
(b) The individual named on the affirmation is eligible to cast a ballot in the precinct and for the election in which the individual cast the provisional ballot.	4012 4013 4014

(c) The individual provided all of the information required under division (B)(1) of this section in the affirmation that the individual executed at the time the individual cast the provisional ballot, <u>or the individual provided all of the information required under division (B)(1) of this section with the exception of the required identification, which identification was provided at the board of elections prior to the close of the polls or verified by matching the social security number provided on the voter's provisional ballot envelope records maintained by the bureau of motor vehicles.</u>	4015 4016 4017 4018 4019 4020 4021 4022 4023 4024
<del>(d) If applicable, the individual provided any additional information required under division (B)(8) of section 3505.181 of the Revised Code within ten days after the day of the election.</del>	4025 4026 4027
<del>(e) If applicable, the hearing conducted under division (B) of section 3503.24 of the Revised Code after the day of the election resulted in the individual's inclusion in the official registration list.</del>	4028 4029 4030 4031
<del>(4)(3)(a)</del> If, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section, the board determines that any of the following applies, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:	4032 4033 4034 4035 4036
(i) The individual named on the affirmation is not qualified or is not properly registered to vote.	4037 4038
(ii) The individual named on the affirmation is not eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.	4039 4040 4041
(iii) <u>The</u> Except as otherwise provided in division (B)(1) of this section, 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.	4042 4043 4044 4045 4046

(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 ten days after the day of the election.~~

(vi) ~~If applicable, the hearing conducted under division (B) of section 3503.24 of the Revised Code after the day of the election did not result in the individual's inclusion in the official registration list.~~

(vii) ~~The individual failed to provide a current and valid photo identification, a military identification, a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter's name and current address, or the last four digits of the individual's social security number or to execute an affirmation under division (A) of section 3505.18 or division (B) of section 3505.181 of the Revised Code. The elector cast a provisional ballot under division (A)(2) of section 3505.181 of the Revised Code and failed to provide the required identification under division (A)(2)(a) of section 3505.18 of the Revised Code, failed to provide the elector's social security number under division (A)(2)(b) of that section, or could not be positively identified because the elector's social security number did not match the records maintained by the bureau of motor vehicles under that division.~~

(b) If, in examining a provisional ballot affirmation ~~and additional information under divisions (B)(1) and (2) of this section~~, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

(i) Whether the individual named on the affirmation is qualified or properly registered to vote;	4081 4082
(ii) Whether the individual named on the affirmation is eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.	4083 4084 4085
(C)(1) For each provisional ballot rejected under division (B)(4)(3) of this section, the board shall record the name of the provisional voter who cast the ballot, the identification number of the provisional ballot envelope, the names of the election officials who determined the validity of that ballot, the date and time that the determination was made, and the reason that the ballot was not counted.	4086 4087 4088 4089 4090 4091 4092
(2) Provisional ballots that are rejected under division (B)(4)(3) of this section shall not be counted but shall be preserved in their provisional ballot envelopes unopened until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed.	4093 4094 4095 4096 4097 4098
(D) Provisional ballots that the board determines are eligible to be counted under division (B)(3)(2) of this section shall be counted in the same manner as provided for other ballots under section 3505.27 of the Revised Code. No provisional ballots shall be counted in a particular county until the board determines the eligibility to be counted of all provisional ballots cast in that county under division (B) of this section for that election. Observers, as provided in section 3505.21 of the Revised Code, may be present at all times that the board is determining the eligibility of provisional ballots to be counted and counting those provisional ballots determined to be eligible. No person shall recklessly disclose the count or any portion of the count of provisional ballots in such a manner as to jeopardize the secrecy of any individual ballot.	4099 4100 4101 4102 4103 4104 4105 4106 4107 4108 4109 4110 4111 4112
(E)(1) <del>Except as otherwise provided in division (E)(2) of</del>	4113

~~this section, nothing~~Nothing in this section shall prevent a  
board of elections from examining provisional ballot affirmations  
~~and additional information under divisions (B)(1) and (2) of this~~  
section to determine the eligibility of provisional ballots to be  
counted during the ten days after the day of an election.

~~(2) A board of elections shall not examine the provisional~~  
ballot affirmation and additional information under divisions  
~~(B)(1) and (2) of this section of any provisional ballot for which~~  
an election official has indicated under division (B)(7) of  
section 3505.181 of the Revised Code that additional information  
is required for the board of elections to determine the  
eligibility of the individual who cast that provisional ballot  
until the individual provides any information required under  
division (B)(8) of section 3505.181 of the Revised Code, until any  
hearing required to be conducted under section 3503.24 of the  
Revised Code with regard to the provisional voter is held, or  
until the eleventh day after the day of the election, whichever is  
earlier.

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

(A) If the person is challenged as unqualified on the ground  
that the person is not a citizen, the ~~judges~~precinct election  
officials shall put the following ~~questions~~question:



(1) Are you a citizen of the United States?	4148
(2) Are you a native or naturalized citizen?	4149
(3) Where were you born?	4150
(4) What official documentation do you possess to prove your citizenship? Please provide that documentation.	4151 4152
If the person offering to vote claims to be a naturalized citizen of the United States, the person shall, before the vote is received, produce for inspection of the judges a certificate of naturalization and declare under oath that the person is the identical person named in the certificate. If the person states under oath that, by reason of the naturalization of the person's parents or one of them, the person has become a citizen of the United States, and when or where the person's parents were naturalized, the certificate of naturalization need not be produced. If the person is unable to provide a certificate of naturalization on the day of the election, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.	4153 4154 4155 4156 4157 4158 4159 4160 4161 4162 4163 4164 4165 4166 4167 4168
(B) If the person is challenged as unqualified on the ground that the person has not resided in this state for thirty days immediately preceding the election, the <u>judges</u> <u>precinct election officials</u> shall put the following questions:	4169 4170 4171 4172
(1) Have you resided in this state for thirty days immediately preceding this election? If so, where have you resided?	4173 4174 4175
(2) Did you properly register to vote?	4176
(3) Can you provide some form of identification containing your current mailing address in this precinct? Please provide that	4177 4178

identification.	4179
(4) Have you voted or attempted to vote at any other location in this or in any other state at this election?	4180 4181
(5) Have you applied for an absent voter's ballot in any state for this election?	4182 4183
If the <del>judges</del> <u>precinct election officials</u> are unable to verify the person's eligibility to cast a ballot in the election, the <del>judges</del> <u>precinct election officials</u> shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.	4184 4185 4186 4187 4188 4189 4190 4191
(C) If the person is challenged as unqualified on the ground that the person is not a resident of the precinct where the person offers to vote, the <del>judges</del> <u>precinct election officials</u> shall put the following questions:	4192 4193 4194 4195
(1) Do you reside in this precinct?	4196
(2) When did you move into this precinct?	4197
(3) When you came into this precinct, did you come for a temporary purpose merely or for the purpose of making it your home?	4198 4199 4200
(4) What is your current mailing address?	4201
(5) Do you have some official identification containing your current address in this precinct? Please provide that identification.	4202 4203 4204
(6) Have you voted or attempted to vote at any other location in this or in any other state at this election?	4205 4206

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

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

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

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

(2) What is your date of birth?

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

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

~~The presiding judge shall put such other questions to the person challenged as are necessary to determine the person's qualifications as an elector at the election.~~ If a person challenged refuses to answer fully any question put to the person,

is unable to answer the questions as they were answered on the 4239  
registration form by the person under whose name the person offers 4240  
to vote, or refuses to sign the person's name or make the person's 4241  
mark, or if for any other reason a majority of the judgesprecinct 4242  
election officials believes the person is not entitled to vote, 4243  
the judgesprecinct election officials shall provide to the 4244  
person, and the person may vote, a provisional ballot under 4245  
section 3505.181 of the Revised Code. The provisional ballot shall 4246  
not be counted unless it is properly completed and the board of 4247  
elections determines that the voter is properly registered and 4248  
eligible to vote in the election. 4249

A qualified citizen who has certified the citizen's intention 4250  
to vote for president and vice-president as provided by Chapter 4251  
3504. of the Revised Code shall be eligible to receive only the 4252  
ballot containing presidential and vice-presidential candidates. 4253

However, prior to the nineteenth day before the day of an 4254  
election and in accordance with section 3503.24 of the Revised 4255  
Code, any person qualified to vote may challenge the right of any 4256  
other person to be registered as a voter, or the right to cast an 4257  
absent voter's ballot, or to make application for such ballot. 4258  
Such challenge shall be made in accordance with section 3503.24 of 4259  
the Revised Code, and the board of elections of the county in 4260  
which the voting residence of the challenged voter is situated 4261  
shall make a final determination relative to the legality of such 4262  
registration or application. 4263

**Sec. 3505.21. (A)** As used in this section, "during the 4264  
casting of the ballots" includes any time during which a board of 4265  
elections permits an elector to vote an absent voter's ballot in 4266  
person at the office of the board and any time ballots may be cast 4267  
in a precinct polling place on the day of an election. 4268

**(B)** At any primary, special, or general election, any 4269  
political party supporting candidates to be voted upon at such 4270  
election and any group of five or more candidates may appoint to 4271  
the board of elections or to any of the precincts in the county or 4272

city one person, a qualified elector, who shall serve as observer 4273  
for such party or such candidates during the casting of the 4274  
ballots and during the counting of the ballots; provided that 4275  
separate observers may be appointed to serve during the casting 4276  
and during the counting of the ballots. No candidate, no uniformed 4277  
peace officer as defined by section 2935.01 of the Revised Code, 4278  
no uniformed state highway patrol trooper, no uniformed member of 4279  
any fire department, no uniformed member of the armed services, no 4280  
uniformed member of the organized militia, no person wearing any 4281  
other uniform, and no person carrying a firearm or other deadly 4282  
weapon shall serve as an observer, nor shall any candidate be 4283  
represented by more than one observer at any one precinct at the 4284  
board of elections except that a candidate who is a member of a 4285  
party controlling committee, as defined in section 3517.03 of the 4286  
Revised Code, may serve as an observer. ~~Any~~ 4287

(C) ~~Any~~ political party or group of candidates appointing 4288  
observers shall notify the board of elections of the names and 4289  
addresses of its appointees and the precincts at which they shall 4290  
serve or that they will serve at the board of elections. 4291  
Notification of observers appointed to serve on the day of an 4292  
election shall take place not less than eleven days before the day 4293  
of the election on forms prescribed by the secretary of state and 4294  
may be amended by filing an amendment with the board of elections 4295  
at any time until four p.m. of the day before the election. 4296  
Notification of observers appointed to serve at the office of the 4297  
board during the time absent voter's ballots may be cast in person 4298  
shall take place not less than eleven days before absent voter's 4299  
ballots are required to be ready for use pursuant to division 4300  
(B)(3) of section 3509.01 of the Revised Code on forms prescribed 4301  
by the secretary of state and may be amended by filing an 4302  
amendment with the board of elections at any time until four p.m. 4303  
of the day before the observer is appointed to serve. The observer 4304  
serving on behalf of a political party shall be appointed in 4305  
writing by the chairperson and secretary of the respective 4306  
controlling party committee. Observers serving for any five or 4307  
more candidates shall have their certificates signed by those 4308  
candidates. Observers appointed to a precinct may file their 4309

certificates of appointment with the ~~presiding judge~~voting 4310  
location manager of the precinct at the meeting on the evening 4311  
prior to the election, or with the ~~presiding judge~~voting location 4312  
manager of the precinct on the day of the election. ~~Upon~~Observers 4313  
appointed to the office of the board to observe the casting of 4314  
absent voter's ballots in person prior to the day of the election 4315  
may file their certificates with the director of the board of 4316  
elections the day before or on the day that the observers are 4317  
scheduled to serve at the office of the board. 4318

Upon the filing of a certificate, the person named as 4319  
observer in the certificate shall be permitted to be in and about 4320  
the applicable polling place ~~for the precinct~~ during the casting 4321  
of the ballots and shall be permitted to watch every proceeding of 4322  
the ~~judges of elections~~precinct election officials from the time 4323  
of the opening until the closing of the polls. The observer also 4324  
may inspect the counting of all ballots in the polling place or 4325  
board of elections from the time of the closing of the polls until 4326  
the counting is completed and the final returns are certified and 4327  
signed. Observers appointed to serve at the board of elections on 4328  
the day of an election under this section may observe at the board 4329  
of elections and may observe at any precinct in the county. The 4330  
~~judges of elections~~precinct election officials shall protect such 4331  
observers in all of the rights and privileges granted to them by 4332  
Title XXXV of the Revised Code. 4333

(D) No persons other than the ~~judges of elections~~precinct 4334  
election officials, the observers, a police officer, other persons 4335  
who are detailed to any precinct on request of the board of 4336  
elections, or the secretary of state or the secretary of state's 4337  
legal representative shall be admitted to the polling place, or 4338  
any room in which a board of elections is counting ballots, after 4339  
the closing of the polls until the counting, certifying, and 4340  
signing of the final returns of each election have been completed. 4341

(E) Not later than four p.m. of the twentieth day prior to an 4342  
election at which questions are to be submitted to a vote of the 4343  
people, any committee that in good faith advocates or opposes a 4344

measure may file a petition with the board of any county asking 4345  
that the petitioners be recognized as the committee entitled to 4346  
appoint observers to the count at the election. If more than one 4347  
committee alleging themselves to advocate or oppose the same 4348  
measure file such a petition, the board shall decide and announce 4349  
by registered mail to each committee not less than twelve days 4350  
immediately preceding the election which committee is recognized 4351  
as being entitled to appoint observers. The decision shall not be 4352  
final, but any aggrieved party may institute mandamus proceedings 4353  
in the court of common pleas of the county in which the board has 4354  
jurisdiction to compel the ~~judges of elections~~precinct election 4355  
officials to accept the appointees of such aggrieved party. Any 4356  
such recognized committee may appoint an observer to the count in 4357  
each precinct. Committees appointing observers shall notify the 4358  
board of elections of the names and addresses of its appointees 4359  
and the precincts at which they shall serve. Notification shall 4360  
take place not less than eleven days before the election on forms 4361  
prescribed by the secretary of state and may be amended by filing 4362  
an amendment with the board of elections at any time until four 4363  
p.m. on the day before the election. A person so appointed shall 4364  
file the person's certificate of appointment with the ~~presiding~~ 4365  
~~judge~~voting location manager in the precinct in which the person 4366  
has been appointed to serve. Observers shall file their 4367  
certificates before the polls are closed. In no case shall more 4368  
than six observers be appointed for any one election in any one 4369  
precinct. If more than three questions are to be voted on, the 4370  
committees which have appointed observers may agree upon not to 4371  
exceed six observers, and the ~~judges of elections~~precinct 4372  
election officials shall appoint such observers. If such 4373  
committees fail to agree, the ~~judges of elections~~precinct 4374  
election officials shall appoint six observers from the appointees 4375  
so certified, in such manner that each side of the several 4376  
questions shall be represented. 4377

(F) No person shall serve as an observer at any precinct or 4378  
at the board of elections unless the board of elections of the 4379  
county in which such observer is to serve has first been notified 4380  
of the name, address, and ~~precinct~~location at which such observer 4381

is to serve. Notification to the board of elections shall be given  
by the political party, group of candidates, or committee  
appointing such observer as prescribed in this section. No such  
observers shall receive any compensation from the county,  
municipal corporation, or township, and they shall take the  
following oath, to be administered by one of the ~~judges of~~  
elections precinct election officials:

"You do solemnly swear that you will faithfully and  
impartially discharge the duties as an official observer, assigned  
by law; that you will not cause any delay to persons offering to  
vote; and that you will not disclose or communicate to any person  
how any elector has voted at such election.

(G)(1) An observer who serves during the casting of the  
ballots shall only be permitted to do the following:

(a) Watch and listen to the activities conducted by the  
precinct election officials and the interactions between precinct  
election officials and voters, as long as the precinct election  
officials are not delayed in performing the officials' prescribed  
duties and voters are not delayed in casting their ballots;

(b) Make notes on the observer's observations other than by  
means of a photographic, video, or audio recording.

(2)(a) No observer who serves during the casting of the  
ballots shall interact with any precinct election official or with  
any voter while the observer is inside the polling place, within  
the area between the polling place and the small flags of the  
United States placed on the thoroughfares and walkways leading to  
the polling place, or within ten feet of any elector in line  
waiting to vote, if the line of electors waiting to vote extends  
beyond those small flags.

(b) An observer does not violate division (G)(2)(a) of this  
section as a result of an incidental interaction with a voter or a  
precinct election official, such as an exchange of greetings.



**Sec. 3505.23.** ~~No~~Except as otherwise provided in this 4414  
section, no voter shall be allowed to occupy a voting compartment 4415  
or use a voting machine for more than five~~ten~~ minutes when all 4416  
the voting compartments or machines are in use and voters are 4417  
waiting to occupy them. ~~Except~~The ten-minute time limit shall not 4418  
apply to any person who is disabled and requires accommodation to 4419  
the extent required under the "Americans with Disabilities Act of 4420  
1990," 104 Stat. 327, 42 U.S.C. 12101. 4421

Except as otherwise provided by section 3505.24 of the 4422  
Revised Code, no voter shall occupy a voting compartment or 4423  
machine with another person or speak to anyone, nor shall anyone 4424  
speak to the voter, while the voter is in a voting compartment or 4425  
machine. 4426

In precincts that do not use voting machines the following 4427  
procedure shall be followed: 4428

If a voter tears, soils, defaces, or erroneously marks a 4429  
ballot the voter may return it to the precinct election officials 4430  
and a second ballot shall be issued to the voter. Before returning 4431  
a torn, soiled, defaced, or erroneously marked ballot, the voter 4432  
shall fold it so as to conceal any marks the voter made upon it, 4433  
but the voter shall not remove Stub A therefrom. If the voter 4434  
tears, soils, defaces, or erroneously marks such second ballot, 4435  
the voter may return it to the precinct election officials, and a 4436  
third ballot shall be issued to the voter. In no case shall more 4437  
than three ballots be issued to a voter. Upon receiving a returned 4438  
torn, soiled, defaced, or erroneously marked ballot the precinct 4439  
election officials shall detach Stub A therefrom, write "Defaced" 4440  
on the back of such ballot, and place the stub and the ballot in 4441  
the separate containers provided therefor. 4442

No elector shall leave the polling place until the elector 4443  
returns to the precinct election officials every ballot issued to 4444  
the elector with Stub A on each ballot attached thereto, 4445  
regardless of whether the elector has or has not placed any marks 4446  
upon the ballot. 4447

Before leaving the voting compartment, the voter shall fold each ballot marked by the voter so that no part of the face of the ballot is visible, and so that the printing thereon indicating the kind of ballot it is and the facsimile signatures of the members of the board of elections are visible. The voter shall then leave the voting compartment, deliver the voter's ballots, and state the voter's name to the judgeprecinct election official having charge of the ballot ~~boxes~~box, who shall announce the name, detach Stub A from each ballot, and announce the number on the stubs. The judgesprecinct election officials in charge of the poll lists or poll books shall check to ascertain whether the number so announced is the number on Stub B of the ballots issued to such voter, and if no discrepancy appears to exist, the judgeprecinct election official in charge of the ballot ~~boxes~~box shall, in the presence of the voter, deposit each such ballot in the ~~proper~~ ballot box and shall place Stub A from each ballot in the container provided therefor. The voter shall then immediately leave the polling place.

No ballot delivered by a voter to the judgeprecinct election official in charge of the ballot ~~boxes~~box with Stub A detached therefrom, and only ballots provided in accordance with Title XXXV of the Revised Code, shall be voted or deposited in the ballot ~~boxes~~box.

In marking a presidential ballot, the voter shall record the vote in the manner provided on the ballot next to the names of the candidates for the offices of president and vice-president. Such ballot shall be considered and counted as a vote for each of the candidates for election as presidential elector whose names were certified to the secretary of state by the political party of such nominees for president and vice-president.

In marking an office type ballot or nonpartisan ballot, the voter shall record the vote in the manner provided on the ballot next to the name of each candidate for whom the voter desires to vote.

In marking a primary election ballot, the voter shall record the vote in the manner provided on the ballot next to the name of each candidate for whom the voter desires to vote. If the voter desires to vote for the nomination of a person whose name is not printed on the primary election ballot, the voter may do so by writing such person's name on the ballot in the proper place provided for such purpose.

In marking a questions and issues ballot, the voter shall record the vote in the manner provided on the ballot at the left or at the right of "YES" or "NO" or other words of similar import which are printed on the ballot to enable the voter to indicate how the voter votes in connection with each question or issue upon which the voter desires to vote.

In marking any ballot on which a blank space has been provided wherein an elector may write in the name of a person for whom the elector desires to vote, the elector shall write such person's name in such blank space and on no other place on the ballot. Unless specific provision is made by statute, no blank space shall be provided on a ballot for write-in votes, and any names written on a ballot other than in a blank space provided therefor shall not be counted or recorded.

**Sec. 3505.24.** ~~Any~~ Notwithstanding any provision of the Revised Code to the contrary, any elector who declares to the ~~presiding judge of elections~~ voting location manager that the elector is unable to mark the elector's ballot by reason of blindness, disability, or illiteracy may be accompanied in the voting booth and aided by any person of the elector's choice, other than the elector's employer, an agent of the elector's employer, or an officer or agent of the elector's union, if any. The elector also may request and receive assistance in the marking of the elector's ballot from two election officials of different political parties. Any person providing assistance in the marking of an elector's ballot under this section shall thereafter provide no information in regard to the marking of that ballot.

Any ~~judge~~precinct election official may require a 4516  
declaration of inability to be made by the elector under oath 4517  
before the ~~judge~~official. Assistance shall not be rendered for 4518  
causes other than those specified in this section, and no 4519  
candidate whose name appears on the ballot shall assist any person 4520  
in marking that person's ballot. 4521

**Sec. 3505.26.** At the time for closing the polls, the 4522  
~~presiding judge~~voting location manager shall by proclamation 4523  
announce that the polls are closed. 4524

The ~~judges~~precinct election officials shall then in the 4525  
presence of observers proceed as follows: 4526

(A) Count the number of electors who voted, as shown on the 4527  
pollbooks; 4528

(B) Count the unused ballots without removing stubs; 4529

(C) Count the soiled and defaced ballots; 4530

(D) Insert the totals of (A), (B), and (C) on the report 4531  
forms provided therefor in the pollbook; 4532

(E) Count the voted ballots. If the number of voted ballots 4533  
exceeds the number of voters whose names appear upon the 4534  
pollbooks, the ~~presiding judge~~voting location manager shall enter 4535  
on the pollbooks an explanation of that discrepancy, and that 4536  
explanation, if agreed to, shall be subscribed to by all of the 4537  
~~judges~~precinct election officials. Any ~~judge~~precinct official 4538  
having a different explanation shall enter it in the pollbooks and 4539  
subscribe to it. 4540

(F) Put the unused ballots with stubs attached, and soiled 4541  
and defaced ballots with stubs attached, in the envelopes or 4542  
containers provided therefor, certify the number, and then proceed 4543  
to count and tally the votes in the manner prescribed by section 4544  
3505.27 of the Revised Code and certify the result of the election 4545  
to the board of elections. 4546

**Sec. 3505.28. (A)(1)** No ballot shall be counted which is  
marked contrary to law, except that no ballot shall be rejected  
for any technical error unless it is impossible to determine the  
voter's choice. H

(2) A ballot is marked contrary to law and does not contain a  
technical error if the voter marks more selections for a  
particular office, question, or issue than the number of  
selections that the voter is allowed by law to make for that  
office, question, or issue.

(3) Except as otherwise provided in this division, a voter  
makes more selections for a particular office than the voter is  
allowed by law to make for that office if the voter marks the  
ballot for a candidate and also writes in the name of that  
candidate as a write-in vote. If all of the following apply, then  
the ballot is not marked contrary to law and the ballot shall be  
counted:

(a) The voter marks the ballot for a candidate and writes in  
the identical candidate's name;

(b) The ballots are counted at a central location using  
automatic tabulating equipment; and

(c) At least three members of the board of elections agree  
that the candidate's name, as it appears on the ballot, and the  
name of the candidate written in by the voter are identical.

(4) If the voter makes more selections for a particular  
office, question, or issue than the number of selections that the  
voter is allowed by law to make, the voter's ballot shall be  
invalidated for that office, question, or issue, but shall not be  
invalidated for any other office, question, or issue for which the  
voter has not marked an excess number of selections.

(B) If two or more ballots are found folded together among  
the ballots removed from a ballot box, they shall be deemed to be

fraudulent. Such ballots shall not be counted. They shall be  
marked "Fraudulent" and shall be placed in an envelope indorsed  
"Not Counted" with the reasons therefor, and such envelope shall  
be delivered to the board of elections together with other  
uncounted ballots.

(C) No ballot shall be rejected because of being marked with  
ink or by any writing instrument other than one of the pencils  
provided by the board of elections.

**Sec. 3505.29.** From the time the ballot box is opened and the  
count of ballots begun until the ballots are counted and  
certificates of votes cast are made out, signed, certified and  
given to the ~~presiding judge~~voting location manager for delivery  
to the headquarters of the board of elections, the ~~judges~~precinct  
election officials in each precinct shall not separate, nor shall  
a ~~judge~~precinct election official leave the polling place except  
from unavoidable necessity. In cases of illness or unavoidable  
necessity, the board may substitute another qualified person for  
any precinct official so incapacitated.

**Sec. 3505.30.** When the results of the ballots have been  
ascertained, such results shall be embodied in a summary statement  
to be prepared by the ~~judges~~precinct election officials in  
duplicate, on forms provided by the board of elections. One copy  
shall be certified by the ~~judges~~precinct election officials and  
posted on the front of the polling place, and one copy, similarly  
certified, shall be transmitted without delay to the board in a  
sealed envelope along with the other returns of the election. The  
board shall, immediately upon receipt of such summary statements,  
compile and prepare an unofficial count and upon its completion  
shall transmit prepaid, immediately by telephone, facsimile  
machine, or other telecommunications device, the results of such  
unofficial count to the secretary of state, or to the board of the  
most populous county of the district which is authorized to  
canvass the returns. Such count, in no event, shall be made later  
than twelve noon on the day following the election. ~~The board~~  
~~shall also, at the same time, certify the results thereof to the~~

~~secretary of state by certified mail.~~ The board shall remain in session from the time of the opening of the polls, continuously, until the results of the election are received from every precinct in the county and such results are communicated to the secretary of state.

**Sec. 3505.31.** When the results of the voting in a polling place on the day of an election have been determined and entered upon the proper forms and the certifications of those results have been signed by the precinct officials, those officials, before leaving the polling place, shall place all ballots that they have counted in containers provided for that purpose by the board of elections, and shall seal each container in a manner that it cannot be opened without breaking the seal or the material of which the container is made. They shall also seal the pollbook, poll list or signature pollbook, and tally sheet in a manner that the data contained in these items cannot be seen without breaking the seals. On the outside of these items shall be a plain indication that they are to be filed with the board. The ~~presiding judge~~voting location manager and an employee or appointee of the board of elections who has taken an oath to uphold the laws and constitution of this state, including an oath that the person will promptly and securely perform the duties required under this section and who is a member of a different political party than the ~~presiding judge~~voting location manager, shall then deliver to the board the containers of ballots and the sealed pollbook, poll list, and tally sheet, together with all other election reports, materials, and supplies required to be delivered to the board.

The board shall carefully preserve all ballots prepared and provided by it for use in an election, whether used or unused, for sixty days after the day of the election, except that, if an election includes the nomination or election of candidates for any of the offices of president, vice-president, presidential elector, member of the senate of the congress of the United States, or member of the house of representatives of the congress of the United States, the board shall carefully preserve all ballots prepared and provided by it for use in that election, whether used

or unused, for twenty-two months after the day of the election. If  
an election is held within that sixty-day period, the board shall  
have authority to transfer those ballots to other containers to  
preserve them until the sixty-day period has expired. After that  
sixty-day period, the ballots shall be disposed of by the board in  
a manner that the board orders, or where voting machines have been  
used the counters may be turned back to zero; provided that the  
secretary of state, within that sixty-day period, may order the  
board to preserve the ballots or any part of the ballots for a  
longer period of time, in which event the board shall preserve  
those ballots for that longer period of time.

In counties where voting machines are used, if an election is  
to be held within the sixty days immediately following a primary,  
general, or special election or within any period of time within  
which the ballots have been ordered preserved by the secretary of  
state or a court of competent jurisdiction, the board, after  
giving notice to all interested parties and affording them an  
opportunity to have a representative present, shall open the  
compartments of the machines and, without unlocking the machines,  
shall recanvass the vote cast in them as if a recount were being  
held. The results shall be certified by the board, and this  
certification shall be filed in the board's office and retained  
for the remainder of the period for which ballots must be kept.  
After preparation of the certificate, the counters may be turned  
back to zero, and the machines may be used for the election.

The board shall carefully preserve the pollbook, poll list or  
signature pollbook, and tally sheet delivered to it from each  
polling place until it has completed the official canvass of the  
election returns from all precincts in which electors were  
entitled to vote at an election, and has prepared and certified  
the abstracts of election returns, as required by law. The board  
shall not break, or permit anyone to break, the seals upon the  
pollbook, poll list or signature pollbook, and tally sheet, or  
make, or permit any one to make, any changes or notations in these  
items, while they are in its custody, except as provided by  
section 3505.32 of the Revised Code.



Pollbooks and poll lists or signature pollbooks of a party  
primary election delivered to the board from polling places shall  
be carefully preserved by it for two years after the day of  
election in which they were used, and shall then be disposed of by  
the board in a manner that the board orders.

Pollbooks, poll lists or signature pollbooks, tally sheets,  
summary statements, and other records and returns of an election  
delivered to it from polling places shall be carefully preserved  
by the board for two years after the day of the election in which  
they were used, and shall then be disposed of by the board in a  
manner that the board orders.

**Sec. 3506.021.** (A) A board of elections may adopt the use of  
any electronic pollbook that has been certified for use in this  
state in accordance with section 3506.05 of the Revised Code,  
instead of using poll lists or signature pollbooks. A board of  
elections that opts to use electronic pollbooks shall notify the  
secretary of state of that decision.

(B) The secretary of state shall provide each board of  
elections that adopts the use of electronic pollbooks under  
division (A) of this section with rules, instructions, directives,  
and advisories regarding the examination, testing, and use of  
electronic pollbooks, including rules regarding the sealing of the  
information in those pollbooks as required under section 3505.31  
of the Revised Code.

(C) As used in this section, "electronic pollbook" has the  
same meaning as in section 3506.05 of the Revised Code.

**Sec. 3506.05.** (A) As used in this section, ~~except:~~

(1) "Electronic pollbook" means an electronic list of  
registered voters for a particular precinct or polling location  
that may be transported to a polling location;

(2) Except when used as part of the phrase "tabulating

equipment" or "automatic tabulating equipment,"÷ 4716

(1) ~~"Equipment"~~"equipment" means a voting machine, marking 4717  
device, automatic tabulating equipment, ~~or~~ software, or an 4718  
electronic pollbook. 4719

~~(2)~~(3) "Vendor" means the person that owns, manufactures, 4720  
distributes, or has the legal right to control the use of 4721  
equipment, or the person's agent. 4722

(B) No voting machine, marking device, automatic tabulating 4723  
equipment, or software for the purpose of casting or tabulating 4724  
votes or for communications among systems involved in the 4725  
tabulation, storage, or casting of votes, and no electronic 4726  
pollbook, shall be purchased, leased, put in use, or continued to 4727  
be used, except for experimental use as provided in division (B) 4728  
of section 3506.04 of the Revised Code, unless it, a manual of 4729  
procedures governing its use, and training materials, service, and 4730  
other support arrangements have been certified by the secretary of 4731  
state and unless the board of elections of each county where the 4732  
equipment will be used has assured that a demonstration of the use 4733  
of the equipment has been made available to all interested 4734  
electors. The secretary of state shall appoint a board of voting 4735  
machine examiners to examine and approve equipment and its related 4736  
manuals and support arrangements. The board shall consist of four 4737  
members, who shall be appointed as follows: 4738

(1) Two members appointed by the secretary of state. 4739

(2) One member appointed by either the speaker of the house 4740  
of representatives or the minority leader of the house of 4741  
representatives, whichever is a member of the opposite political 4742  
party from the one to which the secretary of state belongs. 4743

(3) One member appointed by either the president of the 4744  
senate or the minority leader of the senate, whichever is a member 4745  
of the opposite political party from the one to which the 4746  
secretary of state belongs. 4747

In all cases of a tie vote or a disagreement in the board, if  
no decision can be arrived at, the board shall submit the matter  
in controversy to the secretary of state, who shall summarily  
decide the question, and the secretary of state's decision shall  
be final. Each member of the board shall be a competent and  
experienced election officer or a person who is knowledgeable  
about the operation of voting equipment and shall serve during the  
secretary of state's term. Any vacancy on the board shall be  
filled in the same manner as the original appointment. The  
secretary of state shall provide staffing assistance to the board,  
at the board's request.

For the member's service, each member of the board shall  
receive three hundred dollars per day for each combination of  
marking device, tabulating equipment, ~~and~~ voting machine, and  
electronic pollbook examined and reported, but in no event shall a  
member receive more than six hundred dollars to examine and report  
on any one marking device, item of tabulating equipment, ~~or~~ voting  
machine, or electronic pollbook. Each member of the board shall be  
reimbursed for expenses the member incurs during an examination or  
during the performance of any related duties that may be required  
by the secretary of state. Reimbursement of these expenses shall  
be made in accordance with, and shall not exceed, the rates  
provided for under section 126.31 of the Revised Code.

Neither the secretary of state nor the board, nor any public  
officer who participates in the authorization, examination,  
testing, or purchase of equipment, shall have any pecuniary  
interest in the equipment or any affiliation with the vendor.

(C)(1) A vendor who desires to have the secretary of state  
certify equipment shall first submit the equipment, all current  
related procedural manuals, and a current description of all  
related support arrangements to the board of voting machine  
examiners for examination, testing, and approval. The submission  
shall be accompanied by a fee of eighteen hundred dollars and a  
detailed explanation of the construction and method of operation  
of the equipment, a full statement of its advantages, and a list

of the patents and copyrights used in operations essential to the 4783  
processes of vote recording and tabulating, vote storage, system 4784  
security, pollbook storage and security, and other crucial 4785  
operations of the equipment as may be determined by the board. An 4786  
additional fee, in an amount to be set by rules promulgated by the 4787  
board, may be imposed to pay for the costs of alternative testing 4788  
or testing by persons other than board members, record-keeping, 4789  
and other extraordinary costs incurred in the examination process. 4790  
Moneys not used shall be returned to the person or entity 4791  
submitting the equipment for examination. 4792

(2) Fees collected by the secretary of state under this 4793  
section shall be deposited into the state treasury to the credit 4794  
of the board of voting machine examiners fund, which is hereby 4795  
created. All moneys credited to this fund shall be used solely for 4796  
the purpose of paying for the services and expenses of each member 4797  
of the board or for other expenses incurred relating to the 4798  
examination, testing, reporting, or certification of ~~voting~~ 4799  
~~machine devices~~equipment, the performance of any related duties 4800  
as required by the secretary of state, or the reimbursement of any 4801  
person submitting an examination fee as provided in this chapter. 4802

(D) Within sixty days after the submission of the equipment 4803  
and payment of the fee, or as soon thereafter as is reasonably 4804  
practicable, but in any event within not more than ninety days 4805  
after the submission and payment, the board of voting machine 4806  
examiners shall examine the equipment and file with the secretary 4807  
of state a written report on the equipment with its 4808  
recommendations and, if applicable, its determination or condition 4809  
of approval regarding whether the equipment, manual, and other 4810  
related materials or arrangements meet the criteria set forth in 4811  
sections 3506.07 and 3506.10 of the Revised Code and can be safely 4812  
used by the voters at elections under the conditions prescribed in 4813  
Title XXXV of the Revised Code, or a written statement of reasons 4814  
for which testing requires a longer period. The board may grant 4815  
temporary approval for the purpose of allowing experimental use of 4816  
equipment. If the board finds that the equipment meets ~~the any~~ 4817  
applicable criteria set forth in sections 3506.06, 3506.07, and 4818

3506.10 of the Revised Code, can be used safely and, if 4819  
applicable, can be depended upon to record and count accurately 4820  
and continuously the votes of electors, and has the capacity to be 4821  
warranted, maintained, and serviced, it shall approve the 4822  
equipment and recommend that the secretary of state certify the 4823  
equipment. The secretary of state shall notify all boards of 4824  
elections of any such certification. Equipment of the same model 4825  
and make, if it ~~provides for recording of voter intent, system~~ 4826  
~~security, voter privacy, retention of vote, and communication of~~ 4827  
~~voting records~~ operates in an identical manner, may then be 4828  
adopted for use at elections. 4829

(E) The vendor shall notify the secretary of state, who shall 4830  
then notify the board of voting machine examiners, of any 4831  
enhancement and any significant adjustment to the hardware or 4832  
software that could result in a patent or copyright change or that 4833  
significantly alters the methods of recording voter intent, system 4834  
security, voter privacy, retention of the vote, communication of 4835  
~~voting~~ records, and connections between the system and other 4836  
systems. The vendor shall provide the secretary of state with an 4837  
updated operations manual for the equipment, and the secretary of 4838  
state shall forward the manual to the board. Upon receiving such a 4839  
notification and manual, the board may require the vendor to 4840  
submit the equipment to an examination and test in order for the 4841  
equipment to remain certified. The board or the secretary of state 4842  
shall periodically examine, test, and inspect certified equipment 4843  
to determine continued compliance with the requirements of this 4844  
chapter and the initial certification. Any examination, test, or 4845  
inspection conducted for the purpose of continuing certification 4846  
of any equipment in which a significant problem has been uncovered 4847  
or in which a record of continuing problems exists shall be 4848  
performed pursuant to divisions (C) and (D) of this section, in 4849  
the same manner as the examination, test, or inspection is 4850  
performed for initial approval and certification. 4851

(F) If, at any time after the certification of equipment, the 4852  
board of voting machine examiners or the secretary of state is 4853  
notified by a board of elections of any significant problem with 4854

the equipment or determines that the equipment fails to meet the 4855  
requirements necessary for approval or continued compliance with 4856  
the requirements of this chapter, or if the board of voting 4857  
machine examiners determines that there are significant 4858  
enhancements or adjustments to the hardware or software, or if 4859  
notice of such enhancements or adjustments has not been given as 4860  
required by division (E) of this section, the secretary of state 4861  
shall notify the users and vendors of that equipment that 4862  
certification of the equipment may be withdrawn. 4863

(G)(1) The notice given by the secretary of state under 4864  
division (F) of this section shall be in writing and shall specify 4865  
both of the following: 4866

(a) The reasons why the certification may be withdrawn; 4867

(b) The date on which certification will be withdrawn unless 4868  
the vendor takes satisfactory corrective measures or explains why 4869  
there are no problems with the equipment or why the enhancements 4870  
or adjustments to the equipment are not significant. 4871

(2) A vendor who receives a notice under division (F) of this 4872  
section shall, within thirty days after receiving it, submit to 4873  
the board of voting machine examiners in writing a description of 4874  
the corrective measures taken and the date on which they were 4875  
taken, or the explanation required under division (G)(1)(b) of 4876  
this section. 4877

(3) Not later than fifteen days after receiving a written 4878  
description or explanation under division (G)(2) of this section 4879  
from a vendor, the board shall determine whether the corrective 4880  
measures taken or the explanation is satisfactory to allow 4881  
continued certification of the equipment, and the secretary of 4882  
state shall send the vendor a written notice of the board's 4883  
determination, specifying the reasons for it. If the board has 4884  
determined that the measures taken or the explanation given is 4885  
unsatisfactory, the notice shall include the effective date of 4886  
withdrawal of the certification. This date may be different from 4887  
the date originally specified in division (G)(1)(b) of this 4888

section. 4889

(4) A vendor who receives a notice under division (G)(3) of 4890  
this section indicating a decision to withdraw certification may, 4891  
within thirty days after receiving it, request in writing that the 4892  
board hold a hearing to reconsider its decision. Any interested 4893  
party shall be given the opportunity to submit testimony or 4894  
documentation in support of or in opposition to the board's 4895  
recommendation to withdraw certification. Failure of the vendor to 4896  
take appropriate steps as described in division (G)(1)(b) or to 4897  
comply with division (G)(2) of this section results in a waiver of 4898  
the vendor's rights under division (G)(4) of this section. 4899

(H)(1) The secretary of state, in consultation with the board 4900  
of voting machine examiners, shall establish, by rule, guidelines 4901  
for the approval, certification, and continued certification of 4902  
the voting machines, marking devices, ~~and~~ tabulating equipment, 4903  
and electronic pollbooks to be used under Title XXXV of the 4904  
Revised Code. The guidelines shall establish procedures requiring 4905  
vendors or computer software developers to place in escrow with an 4906  
independent escrow agent approved by the secretary of state a copy 4907  
of all source code and related documentation, together with 4908  
periodic updates as they become known or available. The secretary 4909  
of state shall require that the documentation include a system 4910  
configuration and that the source code include all relevant 4911  
program statements in low- or high-level languages. As used in 4912  
this division, "source code" does not include variable codes 4913  
created for specific elections. 4914

(2) Nothing in any rule adopted under division (H) of this 4915  
section shall be construed to limit the ability of the secretary 4916  
of state to follow or adopt, or to preclude the secretary of state 4917  
from following or adopting, any guidelines proposed by the federal 4918  
election commission, any entity authorized by the federal election 4919  
commission to propose guidelines, the election assistance 4920  
commission, or any entity authorized by the election assistance 4921  
commission to propose guidelines. 4922

(3)(a) Before the initial certification of any direct	4923
recording electronic voting machine with a voter verified paper	4924
audit trail, and as a condition for the continued certification	4925
and use of those machines, the secretary of state shall establish,	4926
by rule, standards for the certification of those machines. Those	4927
standards shall include, but are not limited to, all of the	4928
following:	4929
(i) A definition of a voter verified paper audit trail as a	4930
paper record of the voter's choices that is verified by the voter	4931
prior to the casting of the voter's ballot and that is securely	4932
retained by the board of elections;	4933
(ii) Requirements that the voter verified paper audit trail	4934
shall not be retained by any voter and shall not contain	4935
individual voter information;	4936
(iii) A prohibition against the production by any direct	4937
recording electronic voting machine of anything that legally could	4938
be removed by the voter from the polling place, such as a receipt	4939
or voter confirmation;	4940
(iv) A requirement that paper used in producing a voter	4941
verified paper audit trail be sturdy, clean, and resistant to	4942
degradation;	4943
(v) A requirement that the voter verified paper audit trail	4944
shall be capable of being optically scanned for the purpose of	4945
conducting a recount or other audit of the voting machine and	4946
shall be readable in a manner that makes the voter's ballot	4947
choices obvious to the voter without the use of computer or	4948
electronic codes;	4949
(vi) A requirement, for office-type ballots, that the voter	4950
verified paper audit trail include the name of each candidate	4951
selected by the voter;	4952
(vii) A requirement, for questions and issues ballots, that	4953
the voter verified paper audit trail include the title of the	4954



question or issue, the name of the entity that placed the question  
or issue on the ballot, and the voter's ballot selection on that  
question or issue, but not the entire text of the question or  
issue.

(b) The secretary of state, by rule adopted under Chapter  
119. of the Revised Code, may waive the requirement under division  
(H)(3)(a)(v) of this section, if the secretary of state determines  
that the requirement is cost prohibitive.

(4)(a) Except as otherwise provided in division (H)(4)(c) of  
this section, any voting machine, marking device, or automatic  
tabulating equipment initially certified or acquired on or after  
December 1, 2008, shall have the most recent federal certification  
number issued by the election assistance commission.

(b) Any voting machine, marking device, or automatic  
tabulating equipment certified for use in this state on ~~the~~  
~~effective date of this amendment~~ September 12, 2008, shall meet,  
as a condition of continued certification and use, the voting  
system standards adopted by the federal election commission in  
2002.

(c) A county that acquires additional voting machines,  
marking devices, or automatic tabulating equipment on or after  
December 1, 2008, shall not be considered to have acquired those  
machines, devices, or equipment on or after December 1, 2008, for  
the purpose of division (H)(4)(a) of this section if all of the  
following apply:

(i) The voting machines, marking devices, or automatic  
tabulating equipment acquired are the same as the machines,  
devices, or equipment currently used in that county.

(ii) The acquisition of the voting machines, marking devices,  
or automatic tabulating equipment does not replace or change the  
primary voting system used in that county.

(iii) The acquisition of the voting machines, marking

devices, or automatic tabulating equipment is for the purpose of 4987  
replacing inoperable machines, devices, or equipment or for the 4988  
purpose providing additional machines, devices, or equipment 4989  
required to meet the allocation requirements established pursuant 4990  
to division (I) of section 3501.11 of the Revised Code. 4991

**Sec. 3506.12.** In counties where marking devices, automatic 4992  
tabulating equipment, voting machines, or any combination of these 4993  
are in use or are to be used, the board of elections: 4994

(A) May combine, rearrange, and enlarge precincts; but the 4995  
board shall arrange for a sufficient number of these devices to 4996  
accommodate the number of electors in each precinct as determined 4997  
by the number of votes cast in that precinct at the most recent 4998  
election for the office of governor, taking into consideration the 4999  
size and location of each selected polling place, available 5000  
parking, handicap accessibility and other accessibility to the 5001  
polling place, and the number of candidates and issues to be voted 5002  
on. Notwithstanding section 3501.22 of the Revised Code, the board 5003  
may appoint more than four precinct officers to each precinct if 5004  
this is made necessary by the number of voting machines to be used 5005  
in that precinct. 5006

(B) Except as otherwise provided in this division, shall 5007  
establish one or more counting stations to receive voted ballots 5008  
and other precinct election supplies after the polling precincts 5009  
are closed. Those stations shall be under the supervision and 5010  
direction of the board of elections. Processing and counting of 5011  
voted ballots, and the preparation of summary sheets, shall be 5012  
done in the presence of observers approved by the board. A 5013  
certified copy of the summary sheet for the precinct shall be 5014  
posted at each counting station immediately after completion of 5015  
the summary sheet. 5016

~~In counties where punch card ballots are used, one or more 5017  
counting stations, located at the board of elections, shall be 5018  
established, at which location all punch card ballots shall be 5019  
counted. 5020~~

~~As used in this division, "punch card ballot" has the same meaning as in section 3506.16 of the Revised Code.~~

**Sec. 3506.15.** The secretary of state shall provide each board of elections with rules, instructions, directives, and advisories regarding the examination, testing, and use of the voting machine and tabulating equipment, the assignment of duties of booth officials, the procedure for casting a vote on the machine, and how the vote shall be tallied and reported to the board, and with other rules, instructions, directives, and advisories the secretary of state finds necessary to ensure the adequate care and custody of voting equipment, and the accurate registering, counting, and canvassing of the votes as required by this chapter. The boards of elections shall be charged with the responsibility of providing for the adequate instruction of voters and election officials in the proper use of the voting machine and marking devices. ~~The boards' instructions shall include, in counties where punch card ballots are used, instructions that each voter shall examine the voter's marked ballot card and remove any chads that remain partially attached to it before returning it to election officials.~~

The secretary of state's rules, instructions, directives, and advisories provided under this section shall comply, insofar as practicable, with this chapter. The provisions of Title XXXV of the Revised Code, not inconsistent with the provisions relating to voting machines, apply in any county using a voting machine.

~~As used in this section, "chad" and "punch card ballot" have the same meanings as in section 3506.16 of the Revised Code.~~

**Sec. 3509.01.** (A) The board of elections of each county shall provide absent voter's ballots for use at every primary and general election, or special election to be held on the day specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state. Those

ballots shall be the same size, shall be printed on the same kind  
of paper, and shall be in the same form as has been approved for  
use at the election for which those ballots are to be voted;  
except that, in counties using marking devices, ballot cards may  
be used for absent voter's ballots, and those absent voters shall  
be instructed to record the vote in the manner provided on the  
ballot cards. ~~In counties where punch card ballots are used, those  
absent voters shall be instructed to examine their marked ballot  
cards and to remove any chads that remain partially attached to  
them before returning them to election officials.~~

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

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

(2) For all ~~other~~ voters, other than overseas voters and  
absent uniformed services voters, who are applying to vote absent  
voter's ballots other than in person, ballots shall be printed and  
ready for use on the ~~thirty-fifth~~ twenty-first day before the day  
of the election.

(3) For all voters who are applying to vote absent voter's  
ballots in person, ballots shall be printed and ready for use  
beginning on the seventeenth day before the day of the election  
and shall continue to be available for use through six p.m. on the  
last Friday before the day of the election, except that ballots  
shall not be available for use on Sunday. On the days in which  
absent voter's ballots are available for use in person, those  
ballots shall be available from eight a.m. through six p.m. Monday

through Friday and from eight a.m. through twelve p.m. on 5089  
Saturday. If, at the time for the close of in-person absent voting 5090  
on a particular day, there are voters waiting in line to cast 5091  
their ballots, the in-person absent voting location shall be kept 5092  
open until such waiting voters have cast their absent voter's 5093  
ballots. 5094

(C) Absent voter's ballots provided for use at a general or 5095  
primary election, or special election to be held on the day 5096  
specified by division (E) of section 3501.01 of the Revised Code 5097  
for the holding of a primary election, designated by the general 5098  
assembly for the purpose of submitting constitutional amendments 5099  
proposed by the general assembly to the voters of the state, shall 5100  
include only those questions, issues, and candidacies that have 5101  
been lawfully ordered submitted to the electors voting at that 5102  
election. 5103

(D)(1) If the laws governing the holding of a special 5104  
election on a day other than the day on which a primary or general 5105  
election is held make it impossible for absent voter's ballots to 5106  
be printed and ready for use by the deadlines established in 5107  
division (B) of this section, absent voter's ballots for those 5108  
special elections shall be ready for use as many days before the 5109  
day of the election as reasonably possible under the laws 5110  
governing the holding of that special election. 5111

(2) If, in accordance with Section 2 of Article XVII, Ohio 5112  
Constitution, an election is required to be held to fill a vacancy 5113  
that occurs after absent voter's ballots have been printed and 5114  
distributed under division (B) of this section, the board of 5115  
elections shall print and distribute a supplemental ballot for 5116  
that election to each absent voter who has requested a ballot for 5117  
that election as many days before the election as reasonably 5118  
possible. 5119

(E) A copy of the absent voter's ballots shall be forwarded 5120  
by the director of the board in each county to the secretary of 5121  
state at least twenty-five days before the election. 5122

~~(F) As used in this section, "chad" and "punch card ballot"~~ 5123  
~~have the same meanings as in section 3506.16 of the Revised Code.~~ 5124

**Sec. 3509.02.** (A) Any qualified elector may vote by absent 5125  
voter's ballots at an election. 5126

(B) Any qualified elector who is unable to appear at the 5127  
office of the board of elections or, if pursuant to division 5128  
(C)(2) of section 3501.10 of the Revised Code the board has 5129  
designated another location in the county at which registered 5130  
electors may ~~vote~~cast absent voter's ballots in person before an 5131  
election, at that other location on account of personal illness, 5132  
physical disability, or infirmity, and who moves from one precinct 5133  
to another within a county, changes the elector's name and moves 5134  
from one precinct to another within a county, or moves from one 5135  
county to another county within the state, on or prior to the day 5136  
of a general, primary, or special election and has not filed a 5137  
notice of change of residence or change of name may vote by absent 5138  
voter's ballots in that election as specified in division (G) of 5139  
section 3503.16 of the Revised Code. 5140

**Sec. 3509.03.** Except as provided in section 3509.031 or 5141  
division (B) of section 3509.08 of the Revised Code, any qualified 5142  
elector desiring to vote absent voter's ballots at an election 5143  
shall make written application for those ballots to the ~~director~~ 5144  
board of elections of the county in which the elector's voting 5145  
residence is located. The application need not be in any 5146  
particular form but shall contain all of the following: 5147

(A) The elector's name; 5148

(B) The elector's signature; 5149

(C) The address at which the elector is registered to vote; 5150

(D) The elector's date of birth; 5151

(E) One of the following: 5152

(1) The elector's driver's license number <u>or state</u>	5153
<u>identification card number</u> ;	5154
(2) The <del>last four digits of the</del> elector's social security	5155
number;	5156
(3) A copy of the elector's current and valid photo	5157
identification, a copy of a military identification, <u>a copy of a</u>	5158
<u>United States passport</u> , or a copy of a current utility bill, bank	5159
statement, government check, paycheck, or other government	5160
document, other than <del>a notice of an election mailed by a board of</del>	5161
<del>elections under section 3501.19 of the Revised Code</del> or a notice of	5162
voter registration mailed by a board of elections under section	5163
3503.19 of the Revised Code, that shows the name and address of	5164
the elector.	5165
(F) A statement identifying the election for which absent	5166
voter's ballots are requested;	5167
(G) A statement that the person requesting the ballots is a	5168
qualified elector;	5169
(H) If the request is for primary election ballots, the	5170
elector's party affiliation;	5171
(I) If the elector desires ballots to be mailed to the	5172
elector, the address to which those ballots shall be mailed.	5173
Each application for absent voter's ballots shall be	5174
delivered to the <del>director</del> <u>board</u> not earlier than the first day of	5175
January of the year of the elections for which the absent voter's	5176
ballots are requested or not earlier than ninety days before the	5177
day of the election at which the ballots are to be voted,	5178
whichever is earlier, and not later than twelve noon of the third	5179
day before the day of the election at which the ballots are to be	5180
voted, or not later than the close of regular business hours on	5181
the day before the day of the election at which the ballots are to	5182
be voted if the application is delivered in person to the office	5183
of the board.	5184

A board of elections shall not mail any unsolicited applications for absent voter's ballots. A board shall only mail an absent voter's ballot application to an elector who has requested such an application from the board. A board of elections that mails an absent voter's ballot application to an elector under this section shall not prepay the return postage for that application.

**Sec. 3509.031.** (A) Any qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may make written application for absent voter's ballots to the ~~director~~board of elections for the county in which the elector's voting residence is located. The elector may personally deliver the application to the ~~director~~office of the board or may mail it, send it by facsimile machine, or otherwise send it to the ~~director~~board. The application need not be in any particular form but shall contain all of the following:

(1) The elector's name;

(2) The elector's signature;

(3) The address at which the elector is registered to vote;

(4) The elector's date of birth;

(5) One of the following:

(a) The elector's driver's license number or state identification card number;

(b) The ~~last four digits of the~~ elector's social security number;

(c) A copy of the elector's current and valid photo identification, a copy of a military identification, a copy of a United States passport, or a copy of a current utility bill, bank



statement, government check, paycheck, or other government	5214
document, other than <del>a notice of an election mailed by a board of</del>	5215
<del>elections under section 3501.19 of the Revised Code</del> or a notice of	5216
voter registration mailed by a board of elections under section	5217
3503.19 of the Revised Code, that shows the name and address of	5218
the elector.	5219
 (6) A statement identifying the election for which absent	5220
voter's ballots are requested;	5221
 (7) A statement that the person requesting the ballots is a	5222
qualified elector;	5223
 (8) A statement that the elector is a member of the organized	5224
militia serving on active duty within the state;	5225
 (9) If the request is for primary election ballots, the	5226
elector's party affiliation;	5227
 (10) If the elector desires ballots to be mailed to the	5228
elector, the address to which those ballots shall be mailed;	5229
 (11) If the elector desires ballots to be sent to the elector	5230
by facsimile machine, the telephone number to which they shall be	5231
so sent.	5232
 (B) Application to have absent voter's ballots mailed or sent	5233
by facsimile machine to a qualified elector who is a member of the	5234
organized militia called to active duty within the state and who	5235
will be unable to vote on election day on account of that active	5236
duty may be made by the spouse of the militia member or the	5237
father, mother, father-in-law, mother-in-law, grandfather,	5238
grandmother, brother or sister of the whole blood or half blood,	5239
son, daughter, adopting parent, adopted child, stepparent,	5240
stepchild, uncle, aunt, nephew, or niece of the militia member.	5241
The application shall be in writing upon a blank form furnished	5242
only by the <del>director</del> <u>board of elections</u> . The form of the	5243
application shall be prescribed by the secretary of state. The	5244
<del>director</del> <u>board</u> shall furnish that blank form to any of the	5245

relatives specified in this division desiring to make the	5246
application, only upon the request of such a relative in person at	5247
the office of the board or upon the written request of such a	5248
relative mailed to the office of the board. The application,	5249
subscribed and sworn to by the applicant, shall contain all of the	5250
following:	5251
(1) The full name of the elector for whom ballots are	5252
requested;	5253
(2) A statement that such person is a qualified elector in	5254
the county;	5255
(3) The address at which the elector is registered to vote;	5256
(4) The elector's date of birth;	5257
(5) One of the following:	5258
(a) The elector's driver's license number <u>or state</u>	5259
<u>identification card number</u> ;	5260
(b) The <del>last four digits of the</del> elector's social security	5261
number;	5262
(c) A copy of the elector's current and valid photo	5263
identification, a copy of a military identification, <u>a copy of a</u>	5264
<u>United States passport</u> , or a copy of a current utility bill, bank	5265
statement, government check, paycheck, or other government	5266
document, other than <del>a notice of an election mailed by a board of</del>	5267
<del>elections under section 3501.19 of the Revised Code or a notice of</del>	5268
voter registration mailed by a board of elections under section	5269
3503.19 of the Revised Code, that shows the name and address of	5270
the elector.	5271
(6) A statement identifying the election for which absent	5272
voter's ballots are requested;	5273
(7) A statement that the elector is a member of the organized	5274

militia serving on active duty within the state;	5275
(8) If the request is for primary election ballots, the elector's party affiliation;	5276 5277
(9) A statement that the applicant bears a relationship to the elector as specified in division (B) of this section;	5278 5279
(10) The address to which ballots shall be mailed or telephone number to which ballots shall be sent by facsimile machine;	5280 5281 5282
(11) The signature and address of the person making the application.	5283 5284
(C) Applications to have absent voter's ballots mailed or sent by facsimile machine shall not be valid if dated, postmarked, or received by the <del>director</del> <u>board</u> prior to the ninetieth day before the day of the election for which ballots are requested or if delivered to the <del>director</del> <u>board</u> later than twelve noon of the third day preceding the day of such election. If, after the ninetieth day and before four p.m. of the day before the day of an election, a valid application for absent voter's ballots is delivered to the <del>director of elections at the</del> office of the board by a militia member making application in the militia member's own behalf, the <del>director</del> <u>board</u> shall forthwith deliver to the militia member all absent voter's ballots then ready for use, together with an identification envelope. The militia member shall then vote the absent voter's ballots in the manner provided in section 3509.05 of the Revised Code.	5285 5286 5287 5288 5289 5290 5291 5292 5293 5294 5295 5296 5297 5298 5299
(D) <u>A board of elections shall not mail any unsolicited applications for absent voter's ballots. A board shall only mail an absent voter's ballot application to an elector who has requested such an application from the board. A board of elections that mails an absent voter's ballot application to an elector under this section shall not prepay the return postage for that application.</u>	5300 5301 5302 5303 5304 5305 5306

**Sec. 3509.04.** (A) If a ~~director~~ of a board of elections 5307  
receives an application for absent voter's ballots that does not 5308  
contain all of the required information, the ~~director~~board 5309  
promptly shall notify the applicant of the additional information 5310  
required to be provided by the applicant to complete that 5311  
application. 5312

(B) Upon receipt by the ~~director~~board of elections of an 5313  
application for absent voter's ballots that contains all of the 5314  
required information, as provided by sections 3509.03 and 3509.031 5315  
and division (G) of section 3503.16 of the Revised Code, the 5316  
~~director~~board, if the ~~director~~board finds that the applicant is 5317  
a qualified elector, shall deliver to the applicant in person or 5318  
mail directly to the applicant by special delivery mail, air mail, 5319  
or regular mail, postage prepaid, proper absent voter's ballots. 5320  
The ~~director~~board shall deliver or mail with the ballots an 5321  
unsealed identification envelope upon the face of which shall be 5322  
printed a form substantially as follows: 5323

"Identification Envelope Statement of Voter 5324

I, .....(Name of voter), declare under 5325  
penalty of election falsification that the within ballot or 5326  
ballots contained no voting marks of any kind when I received 5327  
them, and I caused the ballot or ballots to be marked, enclosed in 5328  
the identification envelope, and sealed in that envelope. 5329

My voting residence in Ohio is 5330

..... 5331

(Street and Number, if any, or Rural Route and Number) 5332

of ..... (City, Village, or Township) 5333

Ohio, which is in Ward ..... Precinct ..... 5334

in that city, village, or township. 5335

The primary election ballots, if any, within this envelope	5336
are primary election ballots of the ..... Party.	5337
Ballots contained within this envelope are to be voted at the	5338
..... (general, special, or primary) election to be held on	5339
the ..... day of .....	5340
My date of birth is ..... (Month and Day),	5341
..... (Year).	5342
(Voter must provide one of the following:)	5343
My driver's license number is ..... (Driver's	5344
license number).	5345
<u>My state identification card number is ..... (Ohio</u>	5346
<u>identification card number).</u>	5347
<del>The last four digits of my</del> My Social Security Number <del>are</del> is	5348
..... ( <del>Last four digits of</del> Social Security Number).	5349
..... In lieu of providing a driver's license number, <u>state</u>	5350
<u>identification card number</u> , or <del>the last four digits of</del> my Social	5351
Security Number, I am enclosing a copy of one of the following in	5352
the return envelope in which this identification envelope will be	5353
mailed: a current and valid photo identification, a military	5354
identification, <u>a United States passport</u> , or a current utility	5355
bill, bank statement, government check, paycheck, or other	5356
government document, other than <del>a notice of an election mailed by</del>	5357
<del>a board of elections under section 3501.19 of the Revised Code or</del>	5358
a notice of voter registration mailed by a board of elections,	5359
that shows my name and address.	5360
I hereby declare, under penalty of election falsification,	5361
that the statements above are true, as I verily believe.	5362
	5363

(Signature of Voter)	5364
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF	5365
THE FIFTH DEGREE."	5366
The <del>director</del> <u>board of elections</u> shall mail with the ballots	5367
and the unsealed identification envelope an unsealed return	5368
envelope upon the face of which shall be printed the official	5369
title and post-office address of the <del>director</del> <u>board</u> . In the upper	5370
left corner on the face of the return envelope, several blank	5371
lines shall be printed upon which the voter may write the voter's	5372
name and return address. The return envelope shall be of such size	5373
that the identification envelope can be conveniently placed within	5374
it for returning the identification envelope to the <del>director</del>	5375
<u>board</u> .	5376
<b>Sec. 3509.05.</b> (A) When an elector receives an absent voter's	5377
ballot pursuant to the elector's application or request, the	5378
elector shall, before placing any marks on the ballot, note	5379
whether there are any voting marks on it. If there are any voting	5380
marks, the ballot shall be returned immediately to the board of	5381
elections; otherwise, the elector shall cause the ballot to be	5382
marked, folded in a manner that the stub on it and the	5383
indorsements and facsimile signatures of the members of the board	5384
of elections on <del>the back of</del> it are visible, and placed and sealed	5385
within the identification envelope received from the <del>director</del>	5386
<u>board</u> of elections for that purpose. Then, the elector shall cause	5387
the statement of voter on the outside of the identification	5388
envelope to be completed and signed, under penalty of election	5389
falsification.	5390
If the elector does not provide the elector's driver's	5391
license number, <u>state identification card number</u> , or <del>the last four</del>	5392
<del>digits of</del> the elector's social security number on the statement of	5393
voter on the identification envelope, the elector also shall	5394
include in the return envelope with the identification envelope a	5395
copy of the elector's current valid photo identification, a copy	5396

of a military identification, a copy of a United States passport, 5397  
or a copy of a current utility bill, bank statement, government 5398  
check, paycheck, or other government document, other than ~~a notice~~ 5399  
~~of an election mailed by a board of elections under section~~ 5400  
~~3501.19 of the Revised Code~~ or a notice of voter registration 5401  
mailed by a board of elections under section 3503.19 of the 5402  
Revised Code, that shows the name and address of the elector. 5403

The elector shall mail the identification envelope to the 5404  
~~director~~board of elections from ~~whom~~which it was received in the 5405  
return envelope, postage prepaid, or the elector may personally 5406  
deliver it to the ~~director~~office of the board, or the spouse of 5407  
the elector, the father, mother, father-in-law, mother-in-law, 5408  
grandfather, grandmother, brother, or sister of the whole or half 5409  
blood, or the son, daughter, adopting parent, adopted child, 5410  
stepparent, stepchild, uncle, aunt, nephew, or niece of the 5411  
elector may deliver it to the ~~director~~board. The return envelope 5412  
shall be transmitted to the ~~director~~board in no other manner, 5413  
except as provided in section 3509.08 of the Revised Code. 5414

When absent voter's ballots are delivered to an elector at 5415  
the office of the board, the elector may retire to a voting 5416  
compartment provided by the board and there mark the ballots. 5417  
Thereupon, the elector shall fold them, place them in the 5418  
identification envelope provided, seal the envelope, fill in and 5419  
sign the statement on the envelope under penalty of election 5420  
falsification, and deliver the envelope to the ~~director of the~~ 5421  
board. 5422

Except as otherwise provided in division (B) of this section, 5423  
all other envelopes containing marked absent voter's ballots shall 5424  
be delivered to the ~~director~~board not later than the close of the 5425  
polls on the day of an election. Absent voter's ballots delivered 5426  
to the ~~director~~board later than the times specified shall not be 5427  
counted, but shall be kept by the board in the sealed 5428  
identification envelopes in which they are delivered to the 5429  
~~director~~board, until the time provided by section 3505.31 of the 5430  
Revised Code for the destruction of all other ballots used at the 5431

election for which ballots were provided, at which time they shall  
be destroyed.

(B)(1) Except as otherwise provided in division (B)(2) of  
this section, any return envelope that is postmarked prior to the  
day of the election shall be delivered to the ~~director~~board prior  
to the eleventh day after the election. Ballots delivered in  
envelopes postmarked prior to the day of the election that are  
received after the close of the polls on election day through the  
tenth day thereafter shall be counted on the eleventh day at the  
board of elections in the manner provided in divisions (C) and (D)  
of section 3509.06 of the Revised Code. Any such ballots that are  
received by the ~~director~~board later than the tenth day following  
the election shall not be counted, but shall be kept by the board  
in the sealed identification envelopes as provided in division (A)  
of this section.

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

(C) Upon receipt of any return envelope prior to the eleventh  
day after the day of any election, the board of elections shall  
open it but shall not open the identification envelope contained  
in it. If, upon so opening the return envelope, the board finds  
ballots in it that are not enclosed in and properly sealed in the  
identification envelope, the board shall not look at the markings  
upon the ballots and shall promptly place them in the  
identification envelope and promptly seal it. If, upon so opening  
the return envelope, the board finds that ballots are enclosed in  
the identification envelope but that it is not properly sealed,  
the board shall not look at the markings upon the ballots and  
shall promptly seal the identification envelope.

**Sec. 3509.051.** Notwithstanding section 3509.05 or any other  
provision of the Revised Code to the contrary, all of the  
following shall apply to the casting of absent voter's ballots in  
person:



(A) The absent voter shall provide identification to the election officials in the same manner as a voter who casts a ballot in person on the day of an election is required to provide identification under section 3505.18 of the Revised Code.

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(B) The absent voter shall not be required to complete a statement of voter on an absent voter's ballot identification envelope.

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

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(D) If a board of elections employs more than one location for casting absent voter's ballots in person before an election under division (C) of section 3501.10 of the Revised Code, an electronic pollbook that provides real time access to voting records shall be used in each such location.

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(E) No person other than a precinct election official shall be permitted to challenge the right to vote of an absent voter who is casting a ballot in person. A precinct election official may challenge the right to vote of an absent voter who is casting a ballot in person in the same manner as a precinct election official may challenge the right to vote of an elector on the day of an election under section 3505.20 or 3513.19 of the Revised Code.

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

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

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(B) When the board of elections determines that absent

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voter's ballots shall be counted in each precinct, the ~~director~~ 5498  
board shall deliver to the ~~presiding judge~~ voting location manager 5499  
of each precinct on election day identification envelopes 5500  
purporting to contain absent voter's ballots of electors whose 5501  
voting residence appears from the statement of voter on the 5502  
outside of each of those envelopes, to be located in ~~such~~ 5503  
~~presiding judge's~~ that manager's precinct, and which were 5504  
received by the ~~director~~ board not later than the close of the 5505  
polls on election day. The ~~director~~ board shall deliver to ~~such~~ 5506  
~~presiding judge~~ the voting location manager a list containing the 5507  
name and voting residence of each person whose voting residence is 5508  
in such precinct to whom absent voter's ballots were mailed. 5509

(C) When the board of elections determines that absent 5510  
voter's ballots shall be counted at the office of the board of 5511  
elections or at another location designated by the board, special 5512  
election ~~judges~~ officials shall be appointed by the board for that 5513  
purpose having the same authority as is exercised by precinct 5514  
~~judges~~ election officials. The votes so cast shall be added to the 5515  
vote totals ~~by the board~~ for the precincts in which the applicable 5516  
absent voters reside, and the absent voter's ballots shall be 5517  
preserved separately by the board, in the same manner and for the 5518  
same length of time as provided by section 3505.31 of the Revised 5519  
Code. 5520

(D) Each of the identification envelopes purporting to 5521  
contain absent voter's ballots delivered to the ~~presiding judge~~ 5522  
voting location manager of the precinct or the special ~~judge~~ 5523  
election official appointed by the board of elections shall be 5524  
handled as follows: The election officials shall compare the 5525  
signature of the elector on the outside of the identification 5526  
envelope with the signature of that elector on the elector's 5527  
registration form and verify that the absent voter's ballot is 5528  
eligible to be counted under section 3509.07 of the Revised Code. 5529  
Any of the precinct officials may challenge the right of the 5530  
elector named on the identification envelope to vote the absent 5531  
voter's ballots upon the ground that the signature on the envelope 5532  
is not the same as the signature on the registration form, that 5533

the identification envelope statement of voter has not been 5534  
completed, unless the ballot is a uniformed services or overseas 5535  
absent voter's ballot, or upon any other of the grounds upon which 5536  
the right of persons to vote may be lawfully challenged. If no 5537  
such challenge is made, ~~or~~ if such a challenge is made and not 5538  
sustained, or if a uniformed services or overseas absent voter 5539  
signed the identification envelope statement of voter, is 5540  
registered to vote, and is eligible to vote in the election, the 5541  
~~presiding judge~~voting location manager shall open the envelope 5542  
without defacing the statement of voter and without mutilating the 5543  
ballots in it, and shall remove the ballots contained in it and 5544  
proceed to count them. 5545

The name of each person voting who is entitled to vote only 5546  
an absent voter's presidential ballot shall be entered in a 5547  
pollbook or poll list or signature pollbook followed by the words 5548  
"Absentee Presidential Ballot." The name of each person voting an 5549  
absent voter's ballot, other than such persons entitled to vote 5550  
only a presidential ballot, shall be entered in the pollbook or 5551  
poll list or signature pollbook and the person's registration card 5552  
marked to indicate that the person has voted. 5553

The date of such election shall also be entered on the 5554  
elector's registration form. If any such challenge is made and 5555  
sustained, the identification envelope of such elector shall not 5556  
be opened, shall be endorsed "Not Counted" with the reasons the 5557  
ballots were not counted, and shall be delivered to the board. 5558

(E) Special election ~~judges~~officials, employees or members 5559  
of the board of elections, or observers shall not disclose the 5560  
count or any portion of the count of absent voter's ballots prior 5561  
to the time of the closing of the polling places. No person shall 5562  
recklessly disclose the count or any portion of the count of 5563  
absent voter's ballots in such a manner as to jeopardize the 5564  
secrecy of any individual ballot. 5565

(F) Observers may be appointed under section 3505.21 of the 5566  
Revised Code to witness the examination and opening of 5567

identification envelopes and the counting of absent voters' 5568  
ballots under this section. 5569

**Sec. 3509.07.** If election officials find that the statement 5570  
accompanying an absent voter's ballot or absent voter's 5571  
presidential ballot is insufficient, that the signatures do not 5572  
correspond with the person's registration signature, that the 5573  
elector has not included the elector's birth date on the 5574  
identification envelope statement of voter, that the applicant is 5575  
not a qualified elector in the precinct, that the ballot envelope 5576  
contains more than one ballot of any one kind, or any voted ballot 5577  
that the elector is not entitled to vote, that Stub A is ~~detached~~ 5578  
~~from~~not included in the envelope with the absent voter's ballot 5579  
or absent voter's presidential ballot, or that the elector has not 5580  
included with the elector's ballot any identification required 5581  
under section 3509.05 or 3511.09 of the Revised Code, the vote 5582  
shall not be accepted or counted. The vote of any absent voter may 5583  
be challenged for cause in the same manner as other votes are 5584  
challenged, and the election officials shall determine the 5585  
legality of that ballot. Every ballot not counted shall be 5586  
endorsed on its back "Not Counted" with the reasons the ballot was 5587  
not counted, and shall be enclosed and returned to or retained by 5588  
the board of elections along with the contested ballots. 5589

**Sec. 3509.08.** (A) Any qualified elector, who, on account of 5590  
the elector's own personal illness, physical disability, or 5591  
infirmity, or on account of the elector's confinement in a jail or 5592  
workhouse under sentence for a misdemeanor or awaiting trial on a 5593  
felony or misdemeanor, will be unable to travel from the elector's 5594  
home or place of confinement to the voting booth in the elector's 5595  
precinct on the day of any general, special, or primary election 5596  
may make application in writing for an absent voter's ballot to 5597  
~~the director of~~ the board of elections of the elector's county. 5598  
The application shall include all of the information required 5599  
under section 3509.03 of the Revised Code and shall state the 5600  
nature of the elector's illness, physical disability, or 5601  
infirmity, or the fact that the elector is confined in a jail or 5602  
workhouse and the elector's resultant inability to travel to the 5603

election booth in the elector's precinct on election day. The  
application shall not be valid if it is delivered to the ~~director~~  
board before the ninetieth day or after twelve noon of the third  
day before the day of the election at which the ballot is to be  
voted.

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

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

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

The secretary of state shall prescribe the form of

application for absent voter's ballots under this division. 5638

This chapter applies to disabled and confined absent voter's 5639  
ballots except as otherwise provided in this section. 5640

(B)(1) Any qualified elector who is unable to travel to the 5641  
voting booth in the elector's precinct on the day of any general, 5642  
special, or primary election may apply to ~~the director of the~~ 5643  
board of elections of the county where the elector is a qualified 5644  
elector to vote in the election by absent voter's ballot if either 5645  
of the following apply: 5646

(a) The elector is confined in a hospital as a result of an 5647  
accident or unforeseeable medical emergency occurring before the 5648  
election; 5649

(b) The elector's minor child is confined in a hospital as a 5650  
result of an accident or unforeseeable medical emergency occurring 5651  
before the election. 5652

(2) The application authorized under division (B)(1) of this 5653  
section shall be made in writing, shall include all of the 5654  
information required under section 3509.03 of the Revised Code, 5655  
and shall be delivered to the ~~director~~board not later than three 5656  
p.m. on the day of the election. The application shall indicate 5657  
the hospital where the applicant or the applicant's child is 5658  
confined, the date of the applicant's or the applicant's child's 5659  
admission to the hospital, and the offices for which the applicant 5660  
is qualified to vote. The applicant may also request that a member 5661  
of the applicant's family, as listed in section 3509.05 of the 5662  
Revised Code, deliver the absent voter's ballot to the applicant. 5663  
The ~~director~~board, after establishing to the ~~director's~~board's 5664  
satisfaction the validity of the circumstances claimed by the 5665  
applicant, shall supply an absent voter's ballot to be delivered 5666  
to the applicant. When the applicant or the applicant's child is 5667  
in a hospital in the county where the applicant is a qualified 5668  
elector and no request is made for a member of the family to 5669  
deliver the ballot, the ~~director~~board shall arrange for the 5670  
delivery of an absent voter's ballot to the applicant, and for its 5671

return to the office of the board, by two board employees 5672  
belonging to the two major political parties according to the 5673  
procedures prescribed in division (A) of this section. When the 5674  
applicant or the applicant's child is in a hospital outside the 5675  
county where the applicant is a qualified elector and no request 5676  
is made for a member of the family to deliver the ballot, the 5677  
~~director~~board shall arrange for the delivery of an absent voter's 5678  
ballot to the applicant by mail, and the ballot shall be returned 5679  
to the office of the board in the manner prescribed in section 5680  
3509.05 of the Revised Code. 5681

(3) Any qualified elector who is eligible to vote under 5682  
division (B) or (C) of section 3503.16 of the Revised Code but is 5683  
unable to do so because of the circumstances described in division 5684  
(B)(2) of this section may vote in accordance with division (B)(1) 5685  
of this section if that qualified elector states in the 5686  
application for absent voter's ballots that that qualified elector 5687  
moved or had a change of name under the circumstances described in 5688  
division (B) or (C) of section 3503.16 of the Revised Code and if 5689  
that qualified elector complies with divisions (G)(1) to (4) of 5690  
section 3503.16 of the Revised Code. 5691

(C) Any qualified elector described in division (A) or (B)(1) 5692  
of this section who needs no assistance to vote or to return 5693  
absent voter's ballots to the board of elections may apply for 5694  
absent voter's ballots under section 3509.03 of the Revised Code 5695  
instead of applying for them under this section. 5696

(D) Any qualified elector described in division (A) or (B)(1) 5697  
of this section to whom ballots are delivered by two employees of 5698  
the board of elections or who votes with the assistance of two 5699  
employees of the board of elections shall be considered to have 5700  
cast absent voter's ballots by mail, rather than in person, for 5701  
the purpose of the laws governing voter identification. Such an 5702  
elector may provide any of the types of identification acceptable 5703  
for mail-in absent voter's ballots to the election officials at 5704  
the time the ballots are delivered to the elector or at the time 5705  
the election officials assist the elector in marking the ballot, 5706

as the case may be. 5707

**Sec. 3509.09.** (A) The poll list or signature pollbook for 5708  
each precinct shall identify each registered elector in that 5709  
precinct who has requested an absent voter's ballot for that 5710  
election. 5711

(B)(1) If a registered elector appears to vote in that 5712  
precinct and that elector has requested an absent voter's ballot 5713  
for that election but the ~~director~~board of elections has not 5714  
received a sealed identification envelope purporting to contain 5715  
that elector's voted absent voter's ballots for that election, the 5716  
elector shall be permitted to cast a provisional ballot under 5717  
section 3505.181 of the Revised Code in that precinct on the day 5718  
of that election. 5719

(2) If a registered elector appears to vote in that precinct 5720  
and that elector has requested an absent voter's ballot for that 5721  
election and the ~~director~~board has received a sealed 5722  
identification envelope purporting to contain that elector's voted 5723  
absent voter's ballots for that election, the elector shall be 5724  
permitted to cast a provisional ballot under section 3505.181 of 5725  
the Revised Code in that precinct on the day of that election. 5726

(C)(1) In counting absent voter's ballots under section 5727  
3509.06 of the Revised Code, the board of elections shall compare 5728  
the signature of each elector from whom the ~~director~~board has 5729  
received a sealed identification envelope purporting to contain 5730  
that elector's voted absent voter's ballots for that election to 5731  
the signature on that elector's registration form. Except as 5732  
otherwise provided in division (C)(3) of this section, if the 5733  
board of elections determines that the absent voter's ballot in 5734  
the sealed identification envelope is valid, it shall be counted. 5735  
If the board of elections determines that the signature on the 5736  
sealed identification envelope purporting to contain the elector's 5737  
voted absent voter's ballot does not match the signature on the 5738  
elector's registration form, the ballot shall be set aside and the 5739  
board shall examine, during the time prior to the beginning of the 5740



official canvass, the poll list or signature pollbook from the  
precinct in which the elector is registered to vote to determine  
if the elector also cast a provisional ballot under section  
3505.181 of the Revised Code in that precinct on the day of the  
election.

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

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

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

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

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

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**Sec. 3511.02.** Notwithstanding any section of the Revised  
Code to the contrary, whenever any person applies for registration  
as a voter on a form adopted in accordance with federal  
regulations relating to the "Uniformed and Overseas Citizens  
Absentee Voting Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986),

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this application shall be sufficient for voter registration and as 5774  
a request for an absent voter's ballot. Uniformed services or 5775  
overseas absent voter's ballots may be obtained by any person 5776  
meeting the requirements of section 3511.01 of the Revised Code by 5777  
applying electronically to the secretary of state or to the board 5778  
of elections of the county in which the person's voting residence 5779  
is located in accordance with section 3511.021 of the Revised Code 5780  
or by applying to ~~the director~~ of the board of elections of the 5781  
county in which the person's voting residence is located, in one 5782  
of the following ways: 5783

(A) That person may make written application for those 5784  
ballots. The person may personally deliver the application to the 5785  
~~director~~board or may mail it, send it by facsimile machine, or 5786  
otherwise send it to the ~~director~~board. The application need not 5787  
be in any particular form but shall contain all of the following 5788  
information: 5789

(1) The elector's name; 5790

(2) The elector's signature; 5791

(3) The address at which the elector is registered to vote; 5792

(4) The elector's date of birth; 5793

(5) One of the following: 5794

(a) The elector's driver's license number or state 5795  
identification card number; 5796

(b) The ~~last four digits of the~~ elector's social security 5797  
number; 5798

(c) A copy of the elector's current and valid photo 5799  
identification, a copy of a military identification, a copy of a 5800  
United States passport, or a copy of a current utility bill, bank 5801  
statement, government check, paycheck, or other government 5802  
document, other than ~~a notice of an election mailed by a board of~~ 5803

<del>elections under section 3501.19 of the Revised Code or a notice of</del>	5804
voter registration mailed by a board of elections under section	5805
3503.19 of the Revised Code, that shows the name and address of	5806
the elector.	5807
 (6) A statement identifying the election for which absent	5808
voter's ballots are requested;	5809
 (7) A statement that the person requesting the ballots is a	5810
qualified elector;	5811
 (8) A statement that the elector is an absent uniformed	5812
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;	5813
 (9) A statement of the elector's length of residence in the	5814
state immediately preceding the commencement of service,	5815
immediately preceding the date of leaving to be with or near the	5816
service member, or immediately preceding leaving the United	5817
States, whichever is applicable;	5818
 (10) If the request is for primary election ballots, the	5819
elector's party affiliation;	5820
 (11) If the elector desires ballots to be mailed to the	5821
elector, the address to which those ballots shall be mailed;	5822
 (12) If the elector desires ballots to be sent to the elector	5823
by facsimile machine, the telephone number to which they shall be	5824
so sent.	5825
 (B) A voter or any relative of a voter listed in division (C)	5826
of this section may use a single federal post card application to	5827
apply for uniformed services or overseas absent voter's ballots	5828
for use at the primary and general elections in a given year and	5829
any special election to be held on the day in that year specified	5830
by division (E) of section 3501.01 of the Revised Code for the	5831
holding of a primary election, designated by the general assembly	5832
for the purpose of submitting constitutional amendments proposed	5833
by the general assembly to the voters of the state. A single	5834

federal postcard application shall be processed by the board of elections pursuant to section 3511.04 of the Revised Code the same as if the voter had applied separately for uniformed services or overseas absent voter's ballots for each election.

(C) Application to have uniformed services or overseas absent voter's ballots mailed or sent by facsimile machine to such a person may be made by the spouse, father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother or sister of the whole blood or half blood, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of such a person. The application shall be in writing upon a blank form furnished only by the ~~director~~board of elections or on a single federal post card as provided in division (B) of this section. The form of the application shall be prescribed by the secretary of state. The ~~director~~board shall furnish that blank form to any of the relatives specified in this division desiring to make the application, only upon the request of such a relative made in person at the office of the board or upon the written request of such a relative mailed to the office of the board. The application, subscribed and sworn to by the applicant, shall contain all of the following:

(1) The full name of the elector for whom ballots are requested;

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

(3) The address at which the elector is registered to vote;

(4) A statement identifying the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near a service member, or immediately preceding leaving the United States, as the case may be;

(5) The elector's date of birth;

(6) One of the following:	5867
(a) The elector's driver's license number <u>or state</u> <u>identification card number</u> ;	5868 5869
(b) The <del>last four digits of the</del> elector's social security number;	5870 5871
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, <u>a copy of a</u> <u>United States passport</u> , or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than <del>a notice of an election mailed by a board of</del> <del>elections under section 3501.19 of the Revised Code</del> or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	5872 5873 5874 5875 5876 5877 5878 5879 5880
(7) A statement identifying the election for which absent voter's ballots are requested;	5881 5882
(8) A statement that the person requesting the ballots is a qualified elector;	5883 5884
(9) If the request is for primary election ballots, the elector's party affiliation;	5885 5886
(10) A statement that the applicant bears a relationship to the elector as specified in division (C) of this section;	5887 5888
(11) The address to which ballots shall be mailed or the telephone number to which ballots shall be sent by facsimile machine;	5889 5890 5891
(12) The signature and address of the person making the application.	5892 5893
Each application for uniformed services or overseas absent voter's ballots shall be delivered to the <del>director</del> <u>board</u> not	5894 5895

earlier than the first day of January of the year of the elections 5896  
for which the uniformed services or overseas absent voter's 5897  
ballots are requested or not earlier than ninety days before the 5898  
day of the election at which the ballots are to be voted, 5899  
whichever is earlier, and not later than twelve noon of the third 5900  
day preceding the day of the election, or not later than the close 5901  
of regular business hours on the day before the day of the 5902  
election at which those ballots are to be voted if the application 5903  
is delivered in person to the office of the board. 5904

(D) If the voter for whom the application is made is entitled 5905  
to vote for presidential and vice-presidential electors only, the 5906  
applicant shall submit to the ~~director~~board in addition to the 5907  
requirements of divisions (A), (B), and (C) of this section, a 5908  
statement to the effect that the voter is qualified to vote for 5909  
presidential and vice-presidential electors and for no other 5910  
offices. 5911

**Sec. 3511.04.** (A) If ~~a director of~~ a board of elections 5912  
receives an application for uniformed services or overseas absent 5913  
voter's ballots that does not contain all of the required 5914  
information, the ~~director~~board promptly shall notify the 5915  
applicant of the additional information required to be provided by 5916  
the applicant to complete that application. 5917

(B) Not later than the forty-fifth day before the day of each 5918  
general or primary election, and at the earliest possible time 5919  
before the day of a special election held on a day other than the 5920  
day on which a general or primary election is held, ~~the director~~ 5921  
~~of~~ the board of elections shall mail, send by facsimile machine, 5922  
or otherwise send uniformed services or overseas absent voter's 5923  
ballots then ready for use as provided for in section 3511.03 of 5924  
the Revised Code and for which the ~~director~~board has received 5925  
valid applications prior to that time. Thereafter, and until 5926  
twelve noon of the third day preceding the day of election, the 5927  
~~director~~board shall promptly, upon receipt of valid applications 5928  
for them, mail, send by facsimile machine, or otherwise send to 5929  
the proper persons all uniformed services or overseas absent 5930

voter's ballots then ready for use. 5931

If, after the seventieth day before the day of a general or 5932  
primary election, any other question, issue, or candidacy is 5933  
lawfully ordered submitted to the electors voting at the general 5934  
or primary election, the board shall promptly provide a separate 5935  
official issue, special election, or other election ballot for 5936  
submitting the question, issue, or candidacy to those electors; 5937  
and ~~the director shall~~ promptly mail or send by facsimile machine 5938  
each such separate ballot to each person to whom the ~~director~~ 5939  
board has previously mailed or sent by facsimile machine other 5940  
uniformed services or overseas absent voter's ballots. 5941

In mailing uniformed services or overseas absent voter's 5942  
ballots, the ~~director~~board shall use the fastest mail service 5943  
available, but the ~~director~~board shall not mail them by certified 5944  
mail. 5945

**Sec. 3511.05.** (A) The ~~director of the~~ board of elections 5946  
shall place uniformed services or overseas absent voter's ballots 5947  
sent by mail in an unsealed identification envelope, gummed ready 5948  
for sealing. The ~~director~~board shall include with uniformed 5949  
services or overseas absent voter's ballots sent electronically, 5950  
including by facsimile machine, an instruction sheet for preparing 5951  
a gummed envelope in which the ballots shall be returned. The 5952  
envelope for returning ballots sent by either means shall have 5953  
printed or written on its face a form substantially as follows: 5954

"Identification Envelope Statement of Voter 5955

I, .....(Name of voter), declare under 5956  
penalty of election falsification that the within ballot or 5957  
ballots contained no voting marks of any kind when I received 5958  
them, and I caused the ballot or ballots to be marked, enclosed in 5959  
the identification envelope, and sealed in that envelope. 5960

My voting residence in Ohio is 5961

.....	5962
(Street and Number, if any, or Rural Route and Number)	5963
of ..... (City, Village, or Township)	5964
Ohio, which is in Ward ..... Precinct .....	5965
in that city, village, or township.	5966
The primary election ballots, if any, within this envelope	5967
are primary election ballots of the ..... Party.	5968
Ballots contained within this envelope are to be voted at the	5969
..... (general, special, or primary) election to be held on	5970
the ..... day of ....., ....	5971
My date of birth is ..... (Month and Day),	5972
..... (Year).	5973
(Voter must provide one of the following:)	5974
My driver's license number is ..... (Driver's	5975
license number).	5976
<u>My state identification card number is ..... (Ohio</u>	5977
<u>identification card number).</u>	5978
<del>The last four digits of my</del> <u>My</u> Social Security Number <del>are</del> <u>is</u>	5979
..... ( <del>Last four digits of</del> Social Security Number).	5980
..... In lieu of providing a driver's license number, <u>state</u>	5981
<u>identification card number</u> , or <del>the last four digits of</del> my Social	5982
Security Number, I am enclosing a copy of one of the following in	5983
the return envelope in which this identification envelope will be	5984
mailed: a current and valid photo identification, a military	5985
identification, <u>a United States passport</u> , or a current utility	5986
bill, bank statement, government check, paycheck, or other	5987



government document, other than ~~a notice of an election mailed by~~ 5988  
~~a board of elections under section 3501.19 of the Revised Code or~~ 5989  
a notice of voter registration mailed by a board of elections, 5990  
that shows my name and address. 5991

I hereby declare, under penalty of election falsification, 5992  
that the statements above are true, as I verily believe. 5993

5994  
(Signature of Voter) 5995

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 5996  
FELONY OF  
THE FIFTH DEGREE." 5997

(B) The ~~director~~board shall also mail with the ballots and 5998  
the unsealed identification envelope sent by mail an unsealed 5999  
return envelope, gummed, ready for sealing, for use by the voter 6000  
in returning the voter's marked ballots to the ~~director~~board. The 6001  
~~director~~board shall send with the ballots and the instruction 6002  
sheet for preparing a gummed envelope sent electronically, 6003  
including by facsimile machine, an instruction sheet for preparing 6004  
a second gummed envelope as described in this division, for use by 6005  
the voter in returning that voter's marked ballots to the ~~director~~ 6006  
board. The return envelope shall have two parallel lines, each one 6007  
quarter of an inch in width, printed across its face paralleling 6008  
the top, with an intervening space of one quarter of an inch 6009  
between such lines. The top line shall be one and one-quarter 6010  
inches from the top of the envelope. Between the parallel lines 6011  
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 6012  
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 6013  
lines shall be printed in the upper left corner on the face of the 6014  
envelope for the use by the voter in placing the voter's complete 6015  
military, naval, or mailing address on these lines, and beneath 6016  
these lines there shall be printed a box beside the words "check 6017  
if out-of-country." The voter shall check this box if the voter 6018  
will be outside the United States on the day of the election. The 6019  
official title and the post-office address of the ~~director~~board 6020

to ~~whom~~which the envelope shall be returned shall be printed on 6021  
the face of such envelope in the lower right portion below the 6022  
bottom parallel line. 6023

(C) On the back of each identification envelope and each 6024  
return envelope shall be printed the following: 6025

"Instructions to voter: 6026

If the flap on this envelope is so firmly stuck to the back 6027  
of the envelope when received by you as to require forcible 6028  
opening in order to use it, open the envelope in the manner least 6029  
injurious to it, and, after marking your ballots and enclosing 6030  
same in the envelope for mailing them to ~~the director of~~ the board 6031  
of elections, reclose the envelope in the most practicable way, by 6032  
sealing or otherwise, and sign the blank form printed below. 6033

The flap on this envelope was firmly stuck to the back of the 6034  
envelope when received, and required forced opening before sealing 6035  
and mailing. 6036

6037  
(Signature of voter)" 6038

(D) Division (C) of this section does not apply when absent 6039  
voter's ballots are sent electronically, including by facsimile 6040  
machine. 6041

**Sec. 3511.06.** The return envelope provided for in section 6042  
3511.05 of the Revised Code shall be of such size that the 6043  
identification envelope can be conveniently placed within it for 6044  
returning the identification envelope to the ~~director~~board of 6045  
elections. The envelope in which the two envelopes and the 6046  
uniformed services or overseas absent voter's ballots are mailed 6047  
to the elector shall have two parallel lines, each one quarter of 6048  
an inch in width, printed across its face, paralleling the top, 6049  
with an intervening space of one-quarter of an inch between such 6050  
lines. The top line shall be one and one-quarter inches from the 6051

top of the envelope. Between the parallel lines shall be printed: 6052  
"official uniformed services or overseas absent voter's balloting 6053  
material--via air mail." The appropriate return address of ~~the~~ 6054  
~~director~~ of the board of elections shall be printed in the upper 6055  
left corner on the face of such envelope. Several blank lines 6056  
shall be printed on the face of such envelope in the lower right 6057  
portion, below the bottom parallel line, for writing in the name 6058  
and address of the elector to whom such envelope is mailed. 6059

**Sec. 3511.07.** When mailing unsealed identification envelopes 6060  
and unsealed return envelopes to persons, the ~~director of the~~ 6061  
board of elections shall insert a sheet of waxed paper or other 6062  
appropriate insert between the gummed flap and the back of each of 6063  
such envelopes to minimize the possibility that the flap may 6064  
become firmly stuck to the back of the envelope by reason of 6065  
moisture, humid atmosphere, or other conditions to which they may 6066  
be subjected. If the flap on either of such envelopes should be so 6067  
firmly stuck to the back of the envelope when it is received by 6068  
the voter as to require forcible opening of the envelope in order 6069  
to use it, the voter shall open such envelope in the manner least 6070  
injurious to it, and, after marking ~~his~~ the voter's ballots and 6071  
enclosing them in the envelope for mailing to the ~~director~~ board, 6072  
~~he~~ the voter shall reclose such envelope in the most practicable 6073  
way, by sealing it or otherwise, and shall sign the blank form 6074  
printed on the back of such envelope. 6075

**Sec. 3511.08.** The ~~director of the~~ board of elections shall 6076  
keep a record of the name and address of each person to whom the 6077  
~~director~~ board mails or delivers uniformed services or overseas 6078  
absent voter's ballots, the kinds of ballots so mailed or 6079  
delivered, and the name and address of the person who made the 6080  
application for such ballots. After the ~~director~~ board has mailed 6081  
or delivered such ballots, the ~~director~~ board shall not mail or 6082  
deliver additional ballots of the same kind to such person 6083  
pursuant to a subsequent request unless such subsequent request 6084  
contains the statement that an earlier request had been sent to 6085  
the ~~director~~ board prior to the thirtieth day before the election 6086  
and that the uniformed services or overseas absent voter's ballots 6087

so requested had not been received by such person prior to the  
fifteenth day before the election, and provided that the ~~director~~  
board has not received an identification envelope purporting to  
contain marked uniformed services or overseas absent voter's  
ballots from such person.

**Sec. 3511.09.** Upon receiving uniformed services or overseas  
absent voter's ballots, the elector shall cause the questions on  
the face of the identification envelope to be answered, and, by  
writing the elector's usual signature in the proper place on the  
identification envelope, the elector shall declare under penalty  
of election falsification that the answers to those questions are  
true and correct to the best of the elector's knowledge and  
belief. Then, the elector shall note whether there are any voting  
marks on the ballot. If there are any voting marks, the ballot  
shall be returned immediately to the board of elections;  
otherwise, the elector shall cause the ballot to be marked, folded  
separately so as to conceal the markings on it, deposited in the  
identification envelope, and securely sealed in the identification  
envelope. The elector then shall cause the identification envelope  
to be placed within the return envelope, sealed in the return  
envelope, and mailed to ~~the director of~~ the board of elections to  
whom it is addressed, postage prepaid. If the elector does not  
provide the elector's driver's license number, state  
identification card number, or ~~the last four digits of the~~  
~~elector's~~ social security number on the statement of voter on the  
identification envelope, the elector also shall include in the  
return envelope with the identification envelope a copy of the  
elector's current valid photo identification, a copy of a military  
identification, a copy of a United States passport, or a copy of a  
current utility bill, bank statement, government check, paycheck,  
or other government document, other than ~~a notice of an election~~  
~~mailed by a board of elections under section 3501.19 of the~~  
~~Revised Code~~ or a notice of voter registration mailed by a board  
of elections under section 3503.19 of the Revised Code, that shows  
the name and address of the elector. Each elector who will be  
outside the United States on the day of the election shall check  
the box on the return envelope indicating this fact and shall mail

the return envelope to the ~~director~~board prior to the close of  
the polls on election day.

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

**Sec. 3511.10.** If, ~~after the thirty-fifth day and~~during the  
time that absent voter's ballots may be cast in person before ~~the~~  
~~close of the polls on the day of a general or primary~~an election,  
a valid application for uniformed services or overseas absent  
voter's ballots is delivered to ~~the director of the~~ office of the  
board of elections ~~at the office of the board~~ by a person making  
the application on the person's own behalf, the ~~director~~board  
shall forthwith deliver to the person all uniformed services or  
overseas absent voter's ballots then ready for use, together with  
an identification envelope. The person shall then immediately  
retire to a voting booth in the office of the board, and mark the  
ballots. The person shall then fold each ballot separately so as  
to conceal the person's markings thereon, and deposit all of the  
ballots in the identification envelope and securely seal it.  
Thereupon the person shall fill in answers to the questions on the  
face of the identification envelope, and by writing the person's  
usual signature in the proper place thereon, the person shall  
declare under penalty of election falsification that the answers  
to those questions are true and correct to the best of that  
person's knowledge and belief. The person shall then deliver the  
identification envelope to the ~~director~~board. If thereafter, and  
before the third day preceding such election, the board provides  
additional separate official issue or special election ballots, as  
provided for in section 3511.04 of the Revised Code, the ~~director~~  
board shall promptly, and not later than twelve noon of the third  
day preceding the day of election, mail such additional ballots to  
such person at the address specified by that person for that  
purpose.

In the event any person serving in the armed forces of the

United States is discharged after the closing date of  
registration, and that person or that person's spouse, or both,  
meets all the other qualifications set forth in section 3511.01 of  
the Revised Code, the person or spouse shall be permitted to vote  
prior to the date of the election in the office of the board in  
the person's or spouse's county, as set forth in this section.

**Sec. 3511.11.** (A) Upon receipt of any return envelope  
bearing the designation "Official Election Uniformed Services or  
Overseas Absent Voter's Ballot" prior to the eleventh day after  
the day of any election, ~~the director~~ of the board of elections  
shall open it but shall not open the identification envelope  
contained in it. If, upon so opening the return envelope, the  
~~director~~board finds ballots in it that are not enclosed in and  
properly sealed in the identification envelope, the ~~director~~board  
shall not look at the markings upon the ballots and shall promptly  
place them in the identification envelope and promptly seal it.  
If, upon so opening the return envelope, the ~~director~~board finds  
that ballots are enclosed in the identification envelope but that  
it is not properly sealed, the ~~director~~board shall not look at  
the markings upon the ballots and shall promptly seal the  
identification envelope.

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

(C) A return envelope that indicates that the voter will be  
outside of the United States on the day of an election is not  
required to be postmarked in order for a uniformed services or  
overseas absent voter's ballot contained in it to be valid. Except  
as otherwise provided in this division, whether or not the return  
envelope containing the ballot is postmarked or contains an  
illegible postmark, a uniformed services or overseas absent  
voter's ballot that is received after the close of the polls on  
election day through the tenth day after the election day and that  
is delivered in a return envelope that indicates that the voter

will be outside the United States on the day of the election shall 6195  
be counted on the eleventh day after the election day at the 6196  
office of the board of elections in the manner provided in 6197  
divisions (C) and (D) of section 3509.06 of the Revised Code. 6198  
However, if a return envelope containing a uniformed services or 6199  
overseas absent voter's ballot is so received and so indicates, 6200  
but it is postmarked, or the identification envelope in it is 6201  
signed, after the close of the polls on election day, the 6202  
uniformed services or overseas absent voter's ballot shall not be 6203  
counted. 6204

(D)(1) Except as otherwise provided in division (D)(2) of 6205  
this section, any return envelope containing a uniformed services 6206  
or overseas absent voter's ballot that is postmarked within the 6207  
United States prior to the day of the election shall be delivered 6208  
to the ~~director~~board prior to the eleventh day after the 6209  
election. Uniformed services or overseas absent voter's ballots 6210  
delivered in envelopes postmarked prior to the day of the election 6211  
that are received after the close of the polls on election day 6212  
through the tenth day thereafter shall be counted on the eleventh 6213  
day at the board of elections in the manner provided in divisions 6214  
(C) and (D) of section 3509.06 of the Revised Code. Any such 6215  
ballots that are received by the ~~director~~board later than the 6216  
tenth day following the election shall not be counted, but shall 6217  
be kept by the board in the sealed identification envelopes as 6218  
provided in division (A) of this section. 6219

(2) Division (D)(1) of this section shall not apply to any 6220  
mail that is postmarked using a postage evidencing system, 6221  
including a postage meter, as defined in 39 C.F.R. 501.1. 6222

(E) The following types of uniformed services or overseas 6223  
absent voter's ballots shall not be counted: 6224

(1) Uniformed services or overseas absent voter's ballots 6225  
contained in return envelopes that bear the designation "Official 6226  
Election Uniformed Services or Overseas Absent Voter's Ballots," 6227  
that are received by the ~~director~~board after the close of the 6228

polls on the day of the election, and that either are postmarked, 6229  
or contain an identification envelope that is signed, on or after 6230  
election day; 6231

(2) Uniformed services or overseas absent voter's ballots 6232  
contained in return envelopes that bear that designation, that do 6233  
not indicate they are from voters who will be outside the United 6234  
States on the day of the election, and that are received after the 6235  
tenth day following the election; 6236

(3) Uniformed services or overseas absent voter's ballots 6237  
contained in return envelopes that bear that designation, that are 6238  
received by the ~~director~~board within ten days after the day of 6239  
the election, and that were postmarked before the day of the 6240  
election using a postage evidencing system, including a postage 6241  
meter, as defined in 39 C.F.R. 501.1. 6242

The uncounted ballots shall be preserved in their 6243  
identification envelopes unopened until the time provided by 6244  
section 3505.31 of the Revised Code for the destruction of all 6245  
other ballots used at the election for which ballots were 6246  
provided, at which time they shall be destroyed. 6247

**Sec. 3511.13.** (A) The poll list or signature pollbook for 6248  
each precinct shall identify each registered elector in that 6249  
precinct who has requested a uniformed services or overseas absent 6250  
voter's ballot for that election. 6251

(B)(1) If a registered elector appears to vote in that 6252  
precinct and that elector has requested a uniformed services or 6253  
overseas absent voter's ballot for that election but the ~~director~~ 6254  
board of elections has not received a sealed identification 6255  
envelope purporting to contain that elector's voted uniformed 6256  
services or overseas absent voter's ballots for that election, the 6257  
elector shall be permitted to cast a provisional ballot under 6258  
section 3505.181 of the Revised Code in that precinct on the day 6259  
of that election. 6260

(2) If a registered elector appears to vote in that precinct 6261



and that elector has requested a uniformed services or overseas  
absent voter's ballot for that election and the ~~director~~board has  
received a sealed identification envelope purporting to contain  
that elector's voted uniformed services or overseas absent voter's  
ballots for that election, the elector shall be permitted to cast  
a provisional ballot under section 3505.181 of the Revised Code in  
that precinct on the day of that election.

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

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

(a) The board of elections determines that the signature of

the elector on the outside of the identification envelope in which 6297  
the uniformed services or overseas absent voter's ballots are 6298  
enclosed does not match the signature of the elector on the 6299  
elector's registration form; 6300

(b) The elector cast a provisional ballot in the precinct on 6301  
the day of the election. 6302

(3) If the board of elections does not receive the sealed 6303  
identification envelope purporting to contain the elector's voted 6304  
uniformed services or overseas absent voter's ballot by the 6305  
applicable deadline established under section 3511.11 of the 6306  
Revised Code, the provisional ballot cast under section 3505.181 6307  
of the Revised Code in that precinct on the day of the election 6308  
shall be counted as valid, if that provisional ballot is otherwise 6309  
determined to be valid pursuant to section 3505.183 of the Revised 6310  
Code. 6311

(D) If the board of elections counts a provisional ballot 6312  
under division (C)(2) or (3) of this section, the returned 6313  
identification envelope of that elector shall not be opened, and 6314  
the ballot within that envelope shall not be counted. The 6315  
identification envelope shall be endorsed "Not Counted" with the 6316  
reason the ballot was not counted. 6317

**Sec. 3511.14.** A board of elections shall accept and process 6318  
federal write-in ballots for all federal, state, and local 6319  
elections conducted in any year as required under "The Uniformed 6320  
and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 6321  
100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 6322

**Sec. 3513.02.** If, in any odd-numbered year, no ~~valid~~ 6323  
~~declaration of candidacy is filed~~ candidate is certified to appear 6324  
on the ballot for nomination as a candidate of a political party 6325  
for election to any of the offices to be voted for at the general 6326  
election to be held in such year, or if the number of persons 6327  
~~filing such declarations of candidacy~~ certified as candidates to 6328  
appear on the ballot for nomination ~~nominations~~ as candidates of 6329  
one political party for election to such offices does not exceed, 6330

as to any such office, the number of candidates which such  
political party is entitled to nominate as its candidates for  
election to such office, then no primary election shall be held  
for the purpose of nominating party candidates of such party for  
election to offices to be voted for at such general election and  
no primary ballots shall be provided for such party. If, however,  
the only office for which there are more ~~valid declarations of~~  
~~candidacy filed~~ candidates certified to appear on the ballot than  
the number to be nominated by a political party, is the office of  
councilperson in a ward, a primary election shall be held for such  
party only in the ward or wards in which there is a contest, and  
only the names of the candidates for the office of councilperson  
in such ward shall appear on the primary ballot of such political  
party.

The election officials whose duty it would have been to  
provide for and conduct the holding of such primary election,  
declare the results thereof, and issue certificates of nomination  
to the persons entitled thereto if such primary election had been  
held shall declare each of such persons to be nominated as of the  
date of the ninetieth day before the primary election, issue  
appropriate certificates of nomination to each of them, and  
certify their names to the proper election officials, in order  
that their names may be printed on the official ballots provided  
for use in the succeeding general election in the same manner as  
though such primary election had been held and such persons had  
been nominated at such election.

**Sec. 3513.05. (A)** Each person desiring to become a candidate  
for a party nomination or for election to an office or position to  
be voted for at a primary election, except persons desiring to  
become joint candidates for the offices of governor and lieutenant  
governor and except as otherwise provided in section 3513.051 of  
the Revised Code, shall, not later than four p.m. of the ninetieth  
day before the day of the primary election, file a declaration of  
candidacy and petition and pay the fees required under divisions  
(A) and (B) of section 3513.10 of the Revised Code. The  
declaration of candidacy and all separate petition papers shall be

filed at the same time as one instrument. When the offices are to  
be voted for at a primary election, persons desiring to become  
joint candidates for the offices of governor and lieutenant  
governor shall, not later than four p.m. of the ninetieth day  
before the day of the primary election, comply with section  
3513.04 of the Revised Code. The prospective joint candidates'  
declaration of candidacy and all separate petition papers of  
candidacies shall be filed at the same time as one instrument. The  
secretary of state or a board of elections shall not accept for  
filing a declaration of candidacy and petition of a person seeking  
to become a candidate if that person, for the same election, has  
already filed a declaration of candidacy or a declaration of  
intent to be a write-in candidate, or has become a candidate by  
the filling of a vacancy under section 3513.30 of the Revised Code  
for any federal, state, or county office, if the declaration of  
candidacy is for a state or county office, or for any municipal or  
township office, if the declaration of candidacy is for a  
municipal or township office.

(B)(1) If the declaration of candidacy declares a candidacy  
which is to be submitted to electors throughout the entire state,  
the petition, including a petition for joint candidates for the  
offices of governor and lieutenant governor, shall be signed by at  
least one thousand qualified electors who are members of the same  
political party as the candidate or joint candidates, and the  
declaration of candidacy and petition shall be filed with the  
secretary of state; provided that the secretary of state shall not  
accept or file any such petition appearing on its face to contain  
signatures of more than three thousand electors.

(2) Except as otherwise provided in this ~~paragraph~~ division,  
if the declaration of candidacy is of one that is to be submitted  
only to electors within a district, political subdivision, or  
portion thereof, the petition shall be signed by not less than  
fifty qualified electors who are members of the same political  
party as the political party of which the candidate is a member.  
If the declaration of candidacy is for party nomination as a  
candidate for member of the legislative authority of a municipal

corporation elected by ward, the petition shall be signed by not  
less than twenty-five qualified electors who are members of the  
political party of which the candidate is a member.

(3) No such petition, except the petition for a candidacy  
that is to be submitted to electors throughout the entire state,  
shall be accepted for filing if it appears to contain on its face  
signatures of more than three times the minimum number of  
signatures. When a petition of a candidate has been accepted for  
filing by a board of elections, the petition shall not be deemed  
invalid if, upon verification of signatures contained in the  
petition, the board of elections finds the number of signatures  
accepted exceeds three times the minimum number of signatures  
required. A board of elections may discontinue verifying  
signatures on petitions when the number of verified signatures  
equals the minimum required number of qualified signatures.

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

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

(C) For purposes of signing or circulating a petition of  
candidacy for party nomination or election, an elector is  
considered to be a member of a political party if the elector

voted in that party's primary election within the preceding two  
calendar years, or if the elector did not vote in any other  
party's primary election within the preceding two calendar years.  
This division does not prohibit a person who holds an elective  
office for which candidates are nominated at a party primary  
election from doing any of the following:

(1) If the person voted as a member of a different political  
party at any primary election within the current year and the  
immediately preceding two calendar years, being a candidate for  
nomination at a party primary held during the times specified in  
division (C)(2) of section 3513.191 of the Revised Code provided  
that the person complies with the requirements of that section;

(2) Circulating the person's own petition of candidacy for  
party nomination in the primary election.

(D) If the declaration of candidacy is of one that is to be  
submitted only to electors within a county, or within a district  
or subdivision or part thereof smaller than a county, the petition  
shall be filed with the board of elections of the county. If the  
declaration of candidacy is of one that is to be submitted only to  
electors of a district or subdivision or part thereof that is  
situated in more than one county, the petition shall be filed with  
the board of elections of the county within which the major  
portion of the population thereof, as ascertained by the next  
preceding federal census, is located.

(E) A petition shall consist of separate petition papers,  
each of which shall contain signatures of electors of only one  
county. Petitions or separate petition papers containing  
signatures of electors of more than one county shall not thereby  
be declared invalid. In case petitions or separate petition papers  
containing signatures of electors of more than one county are  
filed, the board shall determine the county from which the  
majority of signatures came, and only signatures from such county  
shall be counted. Signatures from any other county shall be  
invalid.

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

(F) The secretary of state shall promptly transmit to each  
board such separate petition papers of each petition accompanying  
a declaration of candidacy filed with the secretary of state as  
purport to contain signatures of electors of the county of such  
board. The board of the most populous county of a district shall  
promptly transmit to each board within such district such separate  
petition papers of each petition accompanying a declaration of  
candidacy filed with it as purport to contain signatures of  
electors of the county of each such board. The board of a county  
within which the major portion of the population of a subdivision,  
situated in more than one county, is located, shall promptly  
transmit to the board of each other county within which a portion  
of such subdivision is located such separate petition papers of  
each petition accompanying a declaration of candidacy filed with  
it as purport to contain signatures of electors of the portion of  
such subdivision in the county of each such board.

All petition papers so transmitted to a board and all  
petitions accompanying declarations of candidacy filed with a  
board shall, under proper regulations, be open to public  
inspection until four p.m. of the eightieth day before the day of  
the next primary election. Each board shall, not later than the  
seventy-eighth day before the day of that primary election,  
examine and determine the validity or invalidity of the signatures  
on the petition papers so transmitted to or filed with it and  
shall return to the secretary of state all petition papers  
transmitted to it by the secretary of state, together with its  
certification of its determination as to the validity or  
invalidity of signatures thereon, and shall return to each other  
board all petition papers transmitted to it by such board,  
together with its certification of its determination as to the  
validity or invalidity of the signatures thereon. All other

matters affecting the validity or invalidity of such petition 6507  
papers shall be determined by the secretary of state or the board 6508  
with whom such petition papers were filed. 6509

(G) Protests against the candidacy of any person filing a 6510  
declaration of candidacy for party nomination or for election to 6511  
an office or position, as provided in this section, may be filed 6512  
by any qualified elector who is a member of the same political 6513  
party as the candidate and who is eligible to vote at the primary 6514  
election for the candidate whose declaration of candidacy the 6515  
elector objects to, or by the controlling committee of that 6516  
political party. The protest shall be in writing, and shall be 6517  
filed not later than four p.m. of the seventy-fourth day before 6518  
the day of the primary election. The protest shall be filed with 6519  
the election officials with whom the declaration of candidacy and 6520  
petition was filed. Upon the filing of the protest, the election 6521  
officials with whom it is filed shall promptly fix the time for 6522  
hearing it, and shall forthwith mail notice of the filing of the 6523  
protest and the time fixed for hearing to the person whose 6524  
candidacy is so protested. They shall also forthwith mail notice 6525  
of the time fixed for such hearing to the person who filed the 6526  
protest. At the time fixed, such election officials shall hear the 6527  
protest and determine the validity or invalidity of the 6528  
declaration of candidacy and petition. If they find that such 6529  
candidate is not an elector of the state, district, county, or 6530  
political subdivision in which the candidate seeks a party 6531  
nomination or election to an office or position, or has not fully 6532  
complied with this chapter, the candidate's declaration of 6533  
candidacy and petition shall be determined to be invalid and shall 6534  
be rejected; otherwise, it shall be determined to be valid. That 6535  
determination shall be final. 6536

A protest against the candidacy of any persons filing a 6537  
declaration of candidacy for joint party nomination to the offices 6538  
of governor and lieutenant governor shall be filed, heard, and 6539  
determined in the same manner as a protest against the candidacy 6540  
of any person filing a declaration of candidacy singly. 6541



(H)(1) The secretary of state shall, on the seventieth day before the day of a primary election, certify to each board in the state the forms of the official ballots to be used at the primary election, together with the names of the candidates to be printed on the ballots whose nomination or election is to be determined by electors throughout the entire state and who filed valid declarations of candidacy and petitions.

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

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

**Sec. 3513.12.** At a presidential primary election, ~~which shall be held on the first Tuesday after the first Monday in March in the year 2000, and similarly in every fourth year thereafter,~~ delegates and alternates to the national conventions of the different major political parties shall be chosen by direct vote of the electors as provided in this chapter. Candidates for delegate and alternate shall be qualified and the election shall be conducted in the manner prescribed in this chapter for the nomination of candidates for state and district offices, except as provided in section 3513.151 of the Revised Code and except that

whenever any group of candidates for delegate at large or  
alternate at large, or any group of candidates for delegates or  
alternates from districts, file with the secretary of state  
statements as provided by this section, designating the same  
persons as their first and second choices for president of the  
United States, such a group of candidates may submit a group  
petition containing a declaration of candidacy for each of such  
candidates. The group petition need be signed only by the number  
of electors required for the petition of a single candidate. No  
group petition shall be submitted except by a group of candidates  
equal in number to the whole number of delegates at large or  
alternates at large to be elected or equal in number to the whole  
number of delegates or alternates from a district to be elected.

Each person seeking to be elected as delegate or alternate to  
the national convention of the person's political party shall file  
with the person's declaration of candidacy and certificate a  
statement in writing signed by the person in which the person  
shall state the person's first and second choices for nomination  
as the candidate of the person's party for the presidency of the  
United States. The secretary of state shall not permit any  
declaration of candidacy and certificate of a candidate for  
election as such delegate or alternate to be filed unless  
accompanied by such statement in writing. The name of a candidate  
for the presidency shall not be so used without the candidate's  
written consent.

A person who is a first choice for president of candidates  
seeking election as delegates and alternates shall file with the  
secretary of state, prior to the day of the election, a list  
indicating the order in which certificates of election are to be  
issued to delegate or alternate candidates to whose candidacy the  
person has consented, if fewer than all of such candidates are  
entitled under party rules to be certified as elected. Each  
candidate for election as such delegate or alternate may also file  
along with the candidate's declaration of candidacy and  
certificate a statement in writing signed by the candidate in the  
following form:

"Statement of Candidate	6613
For Election as ..... (Delegate) (Alternate) to the	6614
..... (name of political party) National Convention	6615
I hereby declare to the voters of my political party in the	6616
State of Ohio that, if elected as ..... (delegate)	6617
(alternate) to their national party convention, I shall, to the	6618
best of my judgment and ability, support that candidate for	6619
President of the United States who shall have been selected at	6620
this primary by the voters of my party in the manner provided in	6621
Chapter 3513. of the Ohio Revised Code, as their candidate for	6622
such office.	6623
..... (name),	6624
Candidate for .....	6625
(Delegate) (Alternate)"	6626
The procedures for the selection of candidates for delegate	6627
and alternate to the national convention of a political party set	6628
forth in this section and in section 3513.121 of the Revised Code	6629
are alternative procedures, and if the procedures of this section	6630
are followed, the procedures of section 3513.121 of the Revised	6631
Code need not be followed.	6632
<b>Sec. 3513.131.</b> In the event two or more persons with	6633
identical surnames run for the same office in a primary election	6634
on the same ballot, the names of the candidates shall be	6635
differentiated on the ballot by varying combinations of first and	6636
middle names and initials. Within twenty-four hours after the	6637
final date for filing declarations of candidacy or petitions for	6638
candidacy, the director of the board of elections for local,	6639
municipal, county, general, or special elections, or the director	6640
of the board of elections of the most populous county for	6641

district, general, or special elections, or the secretary of state 6642  
for state-wide general and special elections shall notify the 6643  
persons with identical given names and surnames that the names of 6644  
such persons will be differentiated on the ballot. If one of the 6645  
candidates is an incumbent who is a candidate to succeed ~~himself~~ 6646  
self for the office ~~he~~the incumbent occupies, ~~he~~the incumbent 6647  
shall have first choice of the name by which ~~he~~the incumbent is 6648  
designated on the ballot. If an incumbent does not make a choice 6649  
within two days after notification or if none of the candidates is 6650  
an incumbent, the board of elections within three days after 6651  
notification shall designate the names by which the candidates are 6652  
identified on the ballot. In case of a district candidate the 6653  
board of elections in the most populous county shall make the 6654  
determination. In case of state-wide candidates, or in the case 6655  
any board of elections fails to make a designation within three 6656  
days after notification, the secretary of state shall immediately 6657  
make the determination. 6658

"Notification" as required by this section shall be by the 6659  
director of the board of elections or secretary of state by 6660  
~~special delivery or telegram~~certified mail at the candidate's 6661  
address listed in ~~his~~the candidate's declaration or petition of 6662  
candidacy. 6663

**Sec. 3513.18.** Party primaries shall be held at the same 6664  
place and time, but there shall be separate pollbooks;and tally 6665  
sheets,~~and ballot boxes~~ provided at each polling place for each 6666  
party participating in the election,~~and the ballot of each voter~~ 6667  
~~shall be placed in the ballot box of the party with which he is~~ 6668  
~~affiliated. Each ballot box shall be plainly marked with the name~~ 6669  
~~of the political party whose ballots are to be placed therein, by~~ 6670  
~~letters pasted or printed thereon or by a card attached thereto,~~ 6671  
~~or both, and so placed that the designation may be easily seen and~~ 6672  
~~read by the voter.~~ 6673

If a special election on a question or issue is held on the 6674  
day of a primary election, there shall be provided in the 6675  
pollbooks pages on which shall be recorded the names of all 6676

electors voting on said question or issue and not voting in such  
primary. It shall not be necessary for electors desiring to vote  
only on the question or issue to declare their political  
affiliation.

**Sec. 3513.19.** (A) It is the duty of any ~~judge of elections~~  
precinct election official, whenever any ~~judge of elections~~such  
official doubts that a person attempting to vote at a primary  
election is legally entitled to vote at that election, to  
challenge the right of that person to vote. The right of a person  
to vote at a primary election may be challenged upon the following  
grounds:

(1) That the person whose right to vote is challenged is not  
a legally qualified elector;

(2) That the person has received or has been promised some  
valuable reward or consideration for the person's vote;

~~(3) That the person is not affiliated with or is not a member  
of the political party whose ballot the person desires to vote.  
Such party affiliation shall be determined by examining the  
elector's voting record for the current year and the immediately  
preceding two calendar years as shown on the voter's registration  
card, using the standards of affiliation specified in the seventh  
paragraph of section 3513.05 of the Revised Code. Division (A)(3)  
of this section and the seventh paragraph of section 3513.05 of  
the Revised Code do not prohibit a person who holds an elective  
office for which candidates are nominated at a party primary  
election from doing any of the following:~~

~~(a) If the person voted as a member of a different political  
party at any primary election within the current year and the  
immediately preceding two calendar years, being a candidate for  
nomination at a party primary held during the times specified in  
division (C)(2) of section 3513.191 of the Revised Code provided  
that the person complies with the requirements of that section;~~

~~(b) Circulating the person's own petition of candidacy for~~

~~party nomination in the primary election.~~ 6710

~~(B) When the right of a person to vote is challenged upon the 6711  
ground set forth in division (A)(3) of this section, membership in 6712  
or political affiliation with a political party shall be 6713  
determined by the person's statement, made under penalty of 6714  
election falsification, that the person desires to be affiliated 6715  
with and supports the principles of the political party whose 6716  
primary ballot the person desires to vote. 6717~~

**Sec. 3513.21.** At the close of the polls in a primary 6718  
election, the ~~judges of~~precinct election officials shall proceed 6719  
without delay to canvass the vote, sign and seal it, and make 6720  
returns thereof to the board of elections forthwith on the forms 6721  
to be provided by the board. The provisions of Title XXXV of the 6722  
Revised Code relating to the accounting for and return of all 6723  
ballots at general elections apply to primary ballots. 6724

If there is any disagreement as to how a ballot should be 6725  
counted it shall be submitted to all of the ~~judges~~precinct 6726  
election officials. If three of the ~~judges~~precinct election 6727  
officials do not agree as to how any part of the ballot shall be 6728  
counted, that part of such ballot which three of the ~~judges~~ 6729  
officials do agree shall be counted and a notation made upon the 6730  
ballot indicating what part has not been counted, and shall be 6731  
placed in an envelope provided for that purpose, marked "Disputed 6732  
Ballots" and returned to the board. 6733

The board shall, on the day when the vote is canvassed, open 6734  
such sealed envelopes, determine what ballots and for whom they 6735  
should be counted, and proceed to count and tally the votes on 6736  
such ballots. 6737

**Sec. 3513.262.** The nominating petitions of all candidates 6738  
required to be filed before four p.m. of the day before the day of 6739  
the primary election immediately preceding the general election 6740  
shall be processed as follows: 6741

If such petition is filed with the secretary of state, ~~he~~the 6742

secretary of state shall, not later than the fifteenth day of June  
following the filing of such petition, ~~or if the primary election~~  
~~was a presidential primary election, not later than the end of the~~  
~~sixth week after the day of that election,~~ transmit to each board  
such separate petition papers as purport to contain signatures of  
electors of the county of such board. If such petition is filed  
with the board of the most populous county of a district or of a  
county in which the major portion of the population of a  
subdivision is located, such board shall, not later than the  
fifteenth day of June, ~~or if the primary election was a~~  
~~presidential primary election, not later than the end of the sixth~~  
~~week after the day of that election,~~ transmit to each board within  
such district such separate petition papers of the petition as  
purport to contain signatures of electors of the county of such  
board.

All petition papers so transmitted to a board and all  
nominating petitions filed with a board shall, under proper  
regulations, be open to public inspection from the fifteenth day  
of June until four p.m. of the thirtieth day of that month, ~~or if~~  
~~the primary election was a presidential primary election, from the~~  
~~end of the sixth week after the election until four p.m. of the~~  
~~end of the seventh week after the election.~~ Each board shall, not  
later than the next fifteenth day of July, ~~or if the primary~~  
~~election was a presidential primary election, not later than the~~  
~~end of the tenth week after the day of that election,~~ examine and  
determine the sufficiency of the signatures on the petition papers  
transmitted to or filed with it, and the validity of the petitions  
filed with it, and shall return to the secretary of state all  
petition papers transmitted to it by ~~him~~ the secretary of state,  
together with its certification of its determination as to the  
validity or invalidity of signatures thereon, and shall return to  
each other board all petition papers transmitted to it by such  
other board, as provided in this section, together with its  
certification of its determination as to the validity or  
invalidity of signatures thereon. All other matters affecting the  
validity or invalidity of such petition papers shall be determined  
by the secretary of state or the board with whom such petition

papers were filed. 6780

Written protests against nominating petitions may be filed by 6781  
any qualified elector eligible to vote for the candidate whose 6782  
nominating petition ~~he~~the elector objects to, not later than four 6783  
p.m. of the thirtieth day of July, ~~or if the primary election was~~ 6784  
~~a presidential primary election, not later than the end of the~~ 6785  
~~twelfth week after the day of that election.~~ Such protests shall 6786  
be filed with the election officials with whom the nominating 6787  
petition was filed. Upon the filing of such protest, the election 6788  
officials with whom it is filed shall promptly fix the time and 6789  
place for hearing it, and shall forthwith mail notice of the 6790  
filing of such protest and the time and place for hearing it to 6791  
the person whose nomination is protested. They shall also 6792  
forthwith mail notice of the time and place fixed for the hearing 6793  
to the person who filed the protest. At the time fixed, such 6794  
election officials shall hear the protest and determine the 6795  
validity or invalidity of the petition. Such determination shall 6796  
be final. 6797

A protest against the nominating petition filed by joint 6798  
candidates for the offices of governor and lieutenant governor 6799  
shall be filed, heard, and determined in the same manner as a 6800  
protest against the nominating petition of a candidate who files 6801  
~~by himself~~individually. 6802

**Sec. 3513.30.** (A)(1) If only one valid declaration of 6803  
candidacy is filed for nomination as a candidate of a political 6804  
party for an office and that candidate dies prior to the tenth day 6805  
before the primary election, both of the following may occur: 6806

(a) The political party whose candidate died may fill the 6807  
vacancy so created as provided in division (A)(2) of this section. 6808

(b) Any major political party other than the one whose 6809  
candidate died may select a candidate as provided in division 6810  
(A)(2) of this section under either of the following 6811  
circumstances: 6812



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

(ii) Only one person has filed a valid declaration of candidacy for nomination as that party's candidate at the primary election, that person has withdrawn, died, or been disqualified under section 3513.052 of the Revised Code, and the vacancy so created has not been filled.

(2) A vacancy may be filled under division (A)(1)(a) and a selection may be made under division (A)(1)(b) of this section by the appropriate committee of the political party in the same manner as provided in divisions (A) to (E) of section 3513.31 of the Revised Code for the filling of similar vacancies created by withdrawals or disqualifications under section 3513.052 of the Revised Code after the primary election, except that the certification required under that section may not be filed with the secretary of state, or with a board of the most populous county of a district, or with the board of a county in which the major portion of the population of a subdivision is located, later than four p.m. of the tenth day before the day of such primary election, or with any other board later than four p.m. of the fifth day before the day of such primary election.

(3) If only one valid declaration of candidacy is filed for nomination as a candidate of a political party for an office and that candidate dies on or after the tenth day before the day of the primary election, that candidate is considered to have received the nomination of that candidate's political party at that primary election, and, for purposes of filling the vacancy so created, that candidate's death shall be treated as if that candidate died on the day after the day of the primary election.

(B) Any person filing a declaration of candidacy may withdraw as such candidate at any time prior to the primary election. The withdrawal shall be effected and the statement of withdrawal shall be filed in accordance with the procedures prescribed in division (D) of this section for the withdrawal of persons nominated in a

primary election or by nominating petition. 6847

(C) A person who is named the first choice for president of 6848  
the United States by a candidate for delegate or alternate to a 6849  
national convention of a political party may withdraw consent for 6850  
the selection of the person as such first choice no later than 6851  
four p.m. of the fortieth day before the day of the presidential 6852  
primary election. Withdrawal of consent shall be for the entire 6853  
slate of candidates for delegates and alternates who named such 6854  
person as their presidential first choice and shall constitute 6855  
withdrawal from the primary election by such delegates and 6856  
alternates. The withdrawal shall be made in writing and delivered 6857  
to the secretary of state. If the withdrawal is delivered to the 6858  
secretary of state on or before the seventieth day before the day 6859  
of the primary election, the boards of elections shall remove both 6860  
the name of the withdrawn first choice and the names of such 6861  
withdrawn candidates from the ballots according to the directions 6862  
of the secretary of state. If the withdrawal is delivered to the 6863  
secretary of state after the seventieth day before the day of the 6864  
primary election, the board of elections shall not remove the name 6865  
of the withdrawn first choice and the names of the withdrawn 6866  
candidates from the ballots. The board of elections shall post a 6867  
notice at each polling location on the day of the primary 6868  
election, and shall enclose with each absent voter's ballot given 6869  
or mailed after the candidate withdraws, a notice that votes for 6870  
the withdrawn first choice or the withdrawn candidates will be 6871  
void and will not be counted. If such names are not removed from 6872  
all ballots before the day of the election, the votes for the 6873  
withdrawn first choice or the withdrawn candidates are void and 6874  
shall not be counted. 6875

(D) Any person nominated in a primary election or by 6876  
nominating petition as a candidate for election at the next 6877  
general election may withdraw as such candidate at any time prior 6878  
to the general election. Such withdrawal may be effected by the 6879  
filing of a written statement by such candidate announcing the 6880  
candidate's withdrawal and requesting that the candidate's name 6881  
not be printed on the ballots. If such candidate's declaration of 6882

candidacy or nominating petition was filed with the secretary of  
state, the candidate's statement of withdrawal shall be addressed  
to and filed with the secretary of state. If such candidate's  
declaration of candidacy or nominating petition was filed with a  
board of elections, the candidate's statement of withdrawal shall  
be addressed to and filed with such board.

(E) When a person withdraws under division (B) or (D) of this  
section on or before the seventieth day before the day of the  
primary election at which the person's candidacy is to appear on  
the ballot, the board of elections shall remove the name of the  
withdrawn candidate from the ballots according to the directions  
of the secretary of state. When a person withdraws under division  
(B) or (D) of this section after the seventieth day before the day  
of the primary election at which the person's candidacy is to  
appear on the ballot, the board of elections shall not remove the  
name of the withdrawn candidate from the ballots. The board of  
elections shall post a notice at each polling place on the day of  
the primary election, and shall enclose with each absent voter's  
ballot given or mailed after the candidate withdraws, a notice  
that votes for the withdrawn candidate will be void and will not  
be counted. If the name is not removed from all ballots before the  
day of the election, the votes for the withdrawn candidate are  
void and shall not be counted.

**Sec. 3515.04.** At the time and place fixed for making a  
recount, the board of elections, in the presence of all observers  
who may be in attendance, shall open the sealed containers  
containing the ballots to be recounted, and shall recount them. ~~If  
a county used punch card ballots and if a chad is attached to a  
punch card ballot by three or four corners, the voter shall be  
deemed by the board not to have recorded a candidate, question, or  
issue choice at the particular position on the ballot, and a vote  
shall not be counted at that particular position on the ballot in  
the recount.~~ Ballots shall be handled only by the members of the  
board or by the director or other employees of the board.  
Observers shall be permitted to see the ballots, but they shall  
not be permitted to touch them, and the board shall not permit the

counting or tabulation of votes shown on the ballots for any 6919  
nomination, or for election to any office or position, or upon any 6920  
question or issue, other than the votes shown on such ballots for 6921  
the nomination, election, question, or issue concerning which a 6922  
recount of ballots was applied for. 6923

At any time before the ballots from all of the precincts 6924  
listed in an application for the recount or involved in a recount 6925  
pursuant to section 3515.011 of the Revised Code have been 6926  
recounted, the applicant or declared losing candidate or nominee 6927  
or each of the declared losing candidates or nominees entitled to 6928  
file a request prior to the commencement of a recount, as provided 6929  
in section 3515.03 of the Revised Code, may file with the board a 6930  
written request to stop the recount and not recount the ballots 6931  
from the precincts so listed that have not been recounted prior to 6932  
the time of the request. If, upon the request, the board finds 6933  
that results of the votes in the precincts recounted, if 6934  
substituted for the results of the votes in those precincts as 6935  
shown in the abstract of the votes in those precincts, would not 6936  
cause the applicant, if a person for whom votes were cast for 6937  
nomination or election, to be declared nominated or elected or if 6938  
an election upon a question or issue would not cause a result 6939  
contrary to the result as declared prior to such recount, it shall 6940  
grant the request and shall not recount the ballots of the 6941  
precincts listed in the application for recount that have not been 6942  
recounted prior to that time. If the board finds otherwise, it 6943  
shall deny the request and shall continue to recount ballots until 6944  
the ballots from all of the precincts listed in the application 6945  
for recount have been recounted; provided that, if the request is 6946  
denied, it may be renewed from time to time. Upon any such 6947  
renewal, the board shall consider and act upon the request in the 6948  
same manner as provided in this section in connection with an 6949  
original request. 6950

~~As used in this section, "chad" and "punch card ballot" have 6951  
the same meanings as in section 3506.16 of the Revised Code. 6952~~

**Sec. 3517.01.** (A)(1) A political party within the meaning of 6953

Title XXXV of the Revised Code is any group of voters that, at the most recent regular state election, polled for its candidate for governor in the state or nominees for presidential electors at least five per cent of the entire vote cast for that office or that filed with the secretary of state, subsequent to any election in which it received less than five per cent of that vote, a petition signed by qualified electors equal in number to at least one per cent of the total vote for governor or nominees for presidential electors at the most recent election, declaring their intention of organizing a political party, the name of which shall be stated in the declaration, and of participating in the succeeding primary election, held in even-numbered years, that occurs more than ~~one hundred twenty~~ninety days after the date of filing. No such group of electors shall assume a name or designation that is similar, in the opinion of the secretary of state, to that of an existing political party as to confuse or mislead the voters at an election. If any political party fails to cast five per cent of the total vote cast at an election for the office of governor or president, it shall cease to be a political party.

(2) A campaign committee shall be legally liable for any debts, contracts, or expenditures incurred or executed in its name.

(B) Notwithstanding the definitions found in section 3501.01 of the Revised Code, as used in this section and sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the Revised Code:

(1) "Campaign committee" means a candidate or a combination of two or more persons authorized by a candidate under section 3517.081 of the Revised Code to receive contributions and make expenditures.

(2) "Campaign treasurer" means an individual appointed by a candidate under section 3517.081 of the Revised Code.

(3) "Candidate" has the same meaning as in division (H) of section 3501.01 of the Revised Code and also includes any person

who, at any time before or after an election, receives 6988  
contributions or makes expenditures or other use of contributions, 6989  
has given consent for another to receive contributions or make 6990  
expenditures or other use of contributions, or appoints a campaign 6991  
treasurer, for the purpose of bringing about the person's 6992  
nomination or election to public office. When two persons jointly 6993  
seek the offices of governor and lieutenant governor, "candidate" 6994  
means the pair of candidates jointly. "Candidate" does not include 6995  
candidates for election to the offices of member of a county or 6996  
state central committee, presidential elector, and delegate to a 6997  
national convention or conference of a political party. 6998

(4) "Continuing association" means an association, other than 6999  
a campaign committee, political party, legislative campaign fund, 7000  
political contributing entity, or labor organization, that is 7001  
intended to be a permanent organization that has a primary purpose 7002  
other than supporting or opposing specific candidates, political 7003  
parties, or ballot issues, and that functions on a regular basis 7004  
throughout the year. "Continuing association" includes 7005  
organizations that are determined to be not organized for profit 7006  
under subsection 501 and that are described in subsection 7007  
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 7008

(5) "Contribution" means a loan, gift, deposit, forgiveness 7009  
of indebtedness, donation, advance, payment, or transfer of funds 7010  
or anything of value, including a transfer of funds from an inter 7011  
vivos or testamentary trust or decedent's estate, and the payment 7012  
by any person other than the person to whom the services are 7013  
rendered for the personal services of another person, which 7014  
contribution is made, received, or used for the purpose of 7015  
influencing the results of an election. Any loan, gift, deposit, 7016  
forgiveness of indebtedness, donation, advance, payment, or 7017  
transfer of funds or of anything of value, including a transfer of 7018  
funds from an inter vivos or testamentary trust or decedent's 7019  
estate, and the payment by any campaign committee, political 7020  
action committee, legislative campaign fund, political party, 7021  
political contributing entity, or person other than the person to 7022  
whom the services are rendered for the personal services of 7023

another person, that is made, received, or used by a state or  
county political party, other than moneys a state or county  
political party receives from the Ohio political party fund  
pursuant to section 3517.17 of the Revised Code and the moneys a  
state or county political party may receive under sections  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be  
considered to be a "contribution" for the purpose of section  
3517.10 of the Revised Code and shall be included on a statement  
of contributions filed under that section.

"Contribution" does not include any of the following:

(a) Services provided without compensation by individuals  
volunteering a portion or all of their time on behalf of a person;

(b) Ordinary home hospitality;

(c) The personal expenses of a volunteer paid for by that  
volunteer campaign worker;

(d) Any gift given to a state or county political party  
pursuant to section 3517.101 of the Revised Code. As used in  
division (B)(5)(d) of this section, "political party" means only a  
major political party;

(e) Any contribution as defined in section 3517.1011 of the  
Revised Code that is made, received, or used to pay the direct  
costs of producing or airing an electioneering communication;

(f) Any gift given to a state or county political party for  
the party's restricted fund under division (A)(2) of section  
3517.1012 of the Revised Code;

(g) Any gift given to a state political party for deposit in  
a Levin account pursuant to section 3517.1013 of the Revised Code.  
As used in this division, "Levin account" has the same meaning as  
in that section.

(h) Any donation given to a transition fund under section

3517.1014 of the Revised Code. 7054

(6) "Expenditure" means the disbursement or use of a 7055  
contribution for the purpose of influencing the results of an 7056  
election or of making a charitable donation under division (G) of 7057  
section 3517.08 of the Revised Code. Any disbursement or use of a 7058  
contribution by a state or county political party is an 7059  
expenditure and shall be considered either to be made for the 7060  
purpose of influencing the results of an election or to be made as 7061  
a charitable donation under division (G) of section 3517.08 of the 7062  
Revised Code and shall be reported on a statement of expenditures 7063  
filed under section 3517.10 of the Revised Code. During the thirty 7064  
days preceding a primary or general election, any disbursement to 7065  
pay the direct costs of producing or airing a broadcast, cable, or 7066  
satellite communication that refers to a clearly identified 7067  
candidate shall be considered to be made for the purpose of 7068  
influencing the results of that election and shall be reported as 7069  
an expenditure or as an independent expenditure under section 7070  
3517.10 or 3517.105 of the Revised Code, as applicable, except 7071  
that the information required to be reported regarding 7072  
contributors for those expenditures or independent expenditures 7073  
shall be the same as the information required to be reported under 7074  
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 7075

As used in this division, "broadcast, cable, or satellite 7076  
communication" and "refers to a clearly identified candidate" have 7077  
the same meanings as in section 3517.1011 of the Revised Code. 7078

(7) "Personal expenses" includes, but is not limited to, 7079  
ordinary expenses for accommodations, clothing, food, personal 7080  
motor vehicle or airplane, and home telephone. 7081

(8) "Political action committee" means a combination of two 7082  
or more persons, the primary or major purpose of which is to 7083  
support or oppose any candidate, political party, or issue, or to 7084  
influence the result of any election through express advocacy, and 7085  
that is not a political party, a campaign committee, a political 7086  
contributing entity, or a legislative campaign fund. "Political 7087



action committee" does not include either of the following:	7088
(a) A continuing association that makes disbursements for the direct costs of producing or airing electioneering communications and that does not engage in express advocacy;	7089 7090 7091
(b) A political club that is formed primarily for social purposes and that consists of one hundred members or less, has officers and periodic meetings, has less than two thousand five hundred dollars in its treasury at all times, and makes an aggregate total contribution of one thousand dollars or less per calendar year.	7092 7093 7094 7095 7096 7097
(9) "Public office" means any state, county, municipal, township, or district office, except an office of a political party, that is filled by an election and the offices of United States senator and representative.	7098 7099 7100 7101
(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.	7102 7103
(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists.	7104 7105 7106 7107 7108
(12) "Campaign fund" means money or other property, including contributions.	7109 7110
(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code.	7111 7112
(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party.	7113 7114 7115
(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and	7116 7117

associated with one of the houses of the general assembly. 7118

(16) "In-kind contribution" means anything of value other 7119  
than money that is used to influence the results of an election or 7120  
is transferred to or used in support of or in opposition to a 7121  
candidate, campaign committee, legislative campaign fund, 7122  
political party, political action committee, or political 7123  
contributing entity and that is made with the consent of, in 7124  
coordination, cooperation, or consultation with, or at the request 7125  
or suggestion of the benefited candidate, committee, fund, party, 7126  
or entity. The financing of the dissemination, distribution, or 7127  
republication, in whole or part, of any broadcast or of any 7128  
written, graphic, or other form of campaign materials prepared by 7129  
the candidate, the candidate's campaign committee, or their 7130  
authorized agents is an in-kind contribution to the candidate and 7131  
an expenditure by the candidate. 7132

(17) "Independent expenditure" means an expenditure by a 7133  
person advocating the election or defeat of an identified 7134  
candidate or candidates, that is not made with the consent of, in 7135  
coordination, cooperation, or consultation with, or at the request 7136  
or suggestion of any candidate or candidates or of the campaign 7137  
committee or agent of the candidate or candidates. As used in 7138  
division (B)(17) of this section: 7139

(a) "Person" means an individual, partnership, unincorporated 7140  
business organization or association, political action committee, 7141  
political contributing entity, separate segregated fund, 7142  
association, or other organization or group of persons, but not a 7143  
labor organization or a corporation unless the labor organization 7144  
or corporation is a political contributing entity. 7145

(b) "Advocating" means any communication containing a message 7146  
advocating election or defeat. 7147

(c) "Identified candidate" means that the name of the 7148  
candidate appears, a photograph or drawing of the candidate 7149  
appears, or the identity of the candidate is otherwise apparent by 7150

unambiguous reference. 7151

(d) "Made in coordination, cooperation, or consultation with, 7152  
or at the request or suggestion of, any candidate or the campaign 7153  
committee or agent of the candidate" means made pursuant to any 7154  
arrangement, coordination, or direction by the candidate, the 7155  
candidate's campaign committee, or the candidate's agent prior to 7156  
the publication, distribution, display, or broadcast of the 7157  
communication. An expenditure is presumed to be so made when it is 7158  
any of the following: 7159

(i) Based on information about the candidate's plans, 7160  
projects, or needs provided to the person making the expenditure 7161  
by the candidate, or by the candidate's campaign committee or 7162  
agent, with a view toward having an expenditure made; 7163

(ii) Made by or through any person who is, or has been, 7164  
authorized to raise or expend funds, who is, or has been, an 7165  
officer of the candidate's campaign committee, or who is, or has 7166  
been, receiving any form of compensation or reimbursement from the 7167  
candidate or the candidate's campaign committee or agent; 7168

(iii) Except as otherwise provided in division (D) of section 7169  
3517.105 of the Revised Code, made by a political party in support 7170  
of a candidate, unless the expenditure is made by a political 7171  
party to conduct voter registration or voter education efforts. 7172

(e) "Agent" means any person who has actual oral or written 7173  
authority, either express or implied, to make or to authorize the 7174  
making of expenditures on behalf of a candidate, or means any 7175  
person who has been placed in a position with the candidate's 7176  
campaign committee or organization such that it would reasonably 7177  
appear that in the ordinary course of campaign-related activities 7178  
the person may authorize expenditures. 7179

(18) "Labor organization" means a labor union; an employee 7180  
organization; a federation of labor unions, groups, locals, or 7181  
other employee organizations; an auxiliary of a labor union, 7182  
employee organization, or federation of labor unions, groups, 7183

locals, or other employee organizations; or any other bona fide	7184
organization in which employees participate and that exists for	7185
the purpose, in whole or in part, of dealing with employers	7186
concerning grievances, labor disputes, wages, hours, and other	7187
terms and conditions of employment.	7188
 (19) "Separate segregated fund" means a separate segregated	7189
fund established pursuant to the Federal Election Campaign Act.	7190
 (20) "Federal Election Campaign Act" means the "Federal	7191
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et	7192
seq., as amended.	7193
 (21) "Restricted fund" means the fund a state or county	7194
political party must establish under division (A)(1) of section	7195
3517.1012 of the Revised Code.	7196
 (22) "Electioneering communication" has the same meaning as	7197
in section 3517.1011 of the Revised Code.	7198
 (23) "Express advocacy" means a communication that contains	7199
express words advocating the nomination, election, or defeat of a	7200
candidate or that contains express words advocating the adoption	7201
or defeat of a question or issue, as determined by a final	7202
judgment of a court of competent jurisdiction.	7203
 (24) "Political committee" has the same meaning as in section	7204
3517.1011 of the Revised Code.	7205
 (25) "Political contributing entity" means any entity;	7206
<del>including a corporation or labor organization</del> , that may lawfully	7207
make contributions and expenditures and that is not an individual	7208
or a political action committee, continuing association, campaign	7209
committee, political party, legislative campaign fund, designated	7210
state campaign committee, or state candidate fund. <u>Subject to the</u>	7211
<u>restrictions on the use of corporate and labor organization funds</u>	7212
<u>under section 3599.03 of the Revised Code, "political contributing</u>	7213
<u>entity" shall include a corporation or labor organization.</u> For	7214
purposes of this division, "lawfully" means not prohibited by any	7215

section of the Revised Code, or authorized by a final judgment of  
a court of competent jurisdiction.

**Sec. 3517.012.** When a petition meeting the requirements of  
section 3517.01 of the Revised Code declaring the intention to  
organize a political party is filed with the secretary of state,  
the new party comes into legal existence on the date of filing and  
is entitled to hold a primary election as set out in section  
3513.01 of the Revised Code, at the primary election, held in  
even-numbered years that occurs more than ~~one hundred twenty~~  
ninety days after the date of filing.

**Sec. 3517.014.** Those provisions of section ~~3513.19~~3513.05  
of the Revised Code relating to the determination of membership in  
or political affiliation with a party do not apply to persons  
desiring to become candidates for party nomination of a newly  
formed political party meeting the requirements of sections  
3517.011 and 3517.012 of the Revised Code at the first primary  
held by that party in the even-numbered year occurring subsequent  
to the formation of that party.

**Sec. 3517.015.** Qualified electors who signed declarations of  
candidacy of persons desiring to become candidates for party  
nomination of a newly formed political party meeting the  
requirements of sections 3517.011 and 3517.012 of the Revised Code  
at the first primary election held by that party in the  
even-numbered year subsequent to the party formation ~~are not~~  
~~subject to section 3513.19 of the Revised Code and~~ shall, for the  
purpose of signing said declarations of candidacy, be deemed  
members of the newly formed political party regardless of prior  
political affiliations.

**Sec. 3517.10.** (A) Except as otherwise provided in this  
division, every campaign committee, political action committee,  
legislative campaign fund, political party, and political  
contributing entity that made or received a contribution or made  
an expenditure in connection with the nomination or election of  
any candidate or in connection with any ballot issue or question

at any election held or to be held in this state shall file, on a  
form prescribed under this section or by electronic means of  
transmission as provided in this section and section 3517.106 of  
the Revised Code, a full, true, and itemized statement, made under  
penalty of election falsification, setting forth in detail the  
contributions and expenditures, not later than four p.m. of the  
following dates:

(1) The twelfth day before the election to reflect  
contributions received and expenditures made from the close of  
business on the last day reflected in the last previously filed  
statement, if any, to the close of business on the twentieth day  
before the election;

(2) The thirty-eighth day after the election to reflect the  
contributions received and expenditures made from the close of  
business on the last day reflected in the last previously filed  
statement, if any, to the close of business on the seventh day  
before the filing of the statement;

(3) The last business day of January of every year to reflect  
the contributions received and expenditures made from the close of  
business on the last day reflected in the last previously filed  
statement, if any, to the close of business on the last day of  
December of the previous year;

(4) The last business day of July of every year to reflect  
the contributions received and expenditures made from the close of  
business on the last day reflected in the last previously filed  
statement, if any, to the close of business on the last day of  
June of that year.

A campaign committee shall only be required to file the  
statements prescribed under divisions (A)(1) and (2) of this  
section in connection with the nomination or election of the  
committee's candidate.

The statement required under division (A)(1) of this section  
shall not be required of any campaign committee, political action

committee, legislative campaign fund, political party, or 7283  
political contributing entity that has received contributions of 7284  
less than one thousand dollars and has made expenditures of less 7285  
than one thousand dollars at the close of business on the 7286  
twentieth day before the election. Those contributions and 7287  
expenditures shall be reported in the statement required under 7288  
division (A)(2) of this section. 7289

If an election to select candidates to appear on the general 7290  
election ballot is held within sixty days before a general 7291  
election, the campaign committee of a successful candidate in the 7292  
earlier election may file the statement required by division 7293  
(A)(1) of this section for the general election instead of the 7294  
statement required by division (A)(2) of this section for the 7295  
earlier election if the pregeneral election statement reflects the 7296  
status of contributions and expenditures for the period twenty 7297  
days before the earlier election to twenty days before the general 7298  
election. 7299

If a person becomes a candidate less than twenty days before 7300  
an election, the candidate's campaign committee is not required to 7301  
file the statement required by division (A)(1) of this section. 7302

No statement under division (A)(3) of this section shall be 7303  
required for any year in which a campaign committee, political 7304  
action committee, legislative campaign fund, political party, or 7305  
political contributing entity is required to file a postgeneral 7306  
election statement under division (A)(2) of this section. However, 7307  
a statement under division (A)(3) of this section may be filed, at 7308  
the option of the campaign committee, political action committee, 7309  
legislative campaign fund, political party, or political 7310  
contributing entity. 7311

No campaign committee of a candidate for the office of chief 7312  
justice or justice of the supreme court, and no campaign committee 7313  
of a candidate for the office of judge of any court in this state, 7314  
shall be required to file a statement under division (A)(4) of 7315  
this section. 7316

Except as otherwise provided in this paragraph and in the  
next paragraph of this section, the only campaign committees  
required to file a statement under division (A)(4) of this section  
are the campaign committee of a statewide candidate and the  
campaign committee of a candidate for county office. The campaign  
committee of a candidate for any other nonjudicial office is  
required to file a statement under division (A)(4) of this section  
if that campaign committee receives, during that period,  
contributions exceeding ten thousand dollars.

No statement under division (A)(4) of this section shall be  
required of a campaign committee, a political action committee, a  
legislative campaign fund, a political party, or a political  
contributing entity for any year in which the campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity is required to file a  
postprimary election statement under division (A)(2) of this  
section. However, a statement under division (A)(4) of this  
section may be filed at the option of the campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity.

No statement under division (A)(3) or (4) of this section  
shall be required if the campaign committee, political action  
committee, legislative campaign fund, political party, or  
political contributing entity has no contributions that it has  
received and no expenditures that it has made since the last date  
reflected in its last previously filed statement. However, the  
campaign committee, political action committee, legislative  
campaign fund, political party, or political contributing entity  
shall file a statement to that effect, on a form prescribed under  
this section and made under penalty of election falsification, on  
the date required in division (A)(3) or (4) of this section, as  
applicable.

The campaign committee of a statewide candidate shall file a  
monthly statement of contributions received during each of the  
months of July, August, and September in the year of the general



election in which the candidate seeks office. The campaign  
committee of a statewide candidate shall file the monthly  
statement not later than three business days after the last day of  
the month covered by the statement. During the period beginning on  
the nineteenth day before the general election in which a  
statewide candidate seeks election to office and extending through  
the day of that general election, each time the campaign committee  
of the joint candidates for the offices of governor and lieutenant  
governor or of a candidate for the office of secretary of state,  
auditor of state, treasurer of state, or attorney general receives  
a contribution from a contributor that causes the aggregate amount  
of contributions received from that contributor during that period  
to equal or exceed ten thousand dollars and each time the campaign  
committee of a candidate for the office of chief justice or  
justice of the supreme court receives a contribution from a  
contributor that causes the aggregate amount of contributions  
received from that contributor during that period to exceed ten  
thousand dollars, the campaign committee shall file a  
two-business-day statement reflecting that contribution. ~~During  
the period beginning on the nineteenth day before a primary  
election in which a candidate for statewide office seeks  
nomination to office and extending through the day of that primary  
election, each time either the campaign committee of a statewide  
candidate in that primary election that files a notice under  
division (C)(1) of section 3517.103 of the Revised Code or the  
campaign committee of a statewide candidate in that primary  
election to which, in accordance with division (D) of section  
3517.103 of the Revised Code, the contribution limitations  
prescribed in section 3517.102 of the Revised Code no longer apply~~  
~~receives a contribution from a contributor that causes the  
aggregate amount of contributions received from that contributor  
during that period to exceed ten thousand dollars, the campaign  
committee shall file a two-business-day statement reflecting that  
contribution.~~ Contributions reported on a two-business-day  
statement required to be filed by a campaign committee of a  
statewide candidate in a primary election shall also be included  
in the postprimary election statement required to be filed by that  
campaign committee under division (A)(2) of this section. A

two-business-day statement required by this paragraph shall be  
filed not later than two business days after receipt of the  
contribution. The statements required by this paragraph shall be  
filed in addition to any other statements required by this  
section.

Subject to the secretary of state having implemented, tested,  
and verified the successful operation of any system the secretary  
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of  
this section and division (H)(1) of section 3517.106 of the  
Revised Code for the filing of campaign finance statements by  
electronic means of transmission, a campaign committee of a  
statewide candidate shall file a two-business-day statement under  
the preceding paragraph by electronic means of transmission if the  
campaign committee is required to file a pre-election,  
postelection, or monthly statement of contributions and  
expenditures by electronic means of transmission under this  
section or section 3517.106 of the Revised Code.

If a campaign committee or political action committee has no  
balance on hand and no outstanding obligations and desires to  
terminate itself, it shall file a statement to that effect, on a  
form prescribed under this section and made under penalty of  
election falsification, with the official with whom it files a  
statement under division (A) of this section after filing a final  
statement of contributions and a final statement of expenditures,  
if contributions have been received or expenditures made since the  
period reflected in its last previously filed statement.

(B) Except as otherwise provided in division (C)(7) of this  
section, each statement required by division (A) of this section  
shall contain the following information:

(1) The full name and address of each campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity, including any treasurer  
of the committee, fund, party, or entity, filing a contribution  
and expenditure statement;

(2)(a) In the case of a campaign committee, the candidate's full name and address;	7424 7425
(b) In the case of a political action committee, the registration number assigned to the committee under division (D)(1) of this section.	7426 7427 7428
(3) The date of the election and whether it was or will be a general, primary, or special election;	7429 7430
(4) A statement of contributions received, which shall include the following information:	7431 7432
(a) The month, day, and year of the contribution;	7433
(b)(i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D)(1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E)(1) of this section.	7434 7435 7436 7437 7438 7439 7440 7441 7442 7443 7444 7445 7446
(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;	7447 7448 7449 7450 7451 7452 7453 7454 7455 7456

(iii) If a campaign committee of a statewide candidate or	7457
candidate for the office of member of the general assembly	7458
receives a contribution transmitted pursuant to section 3599.031	7459
of the Revised Code from amounts deducted from the wages and	7460
salaries of two or more employees that exceeds in the aggregate	7461
one hundred dollars during any one filing period under division	7462
(A)(1), (2), (3), or (4) of this section, the full name of the	7463
employees' employer and the full name of the labor organization of	7464
which the employees are members, if any.	7465
(c) A description of the contribution received, if other than	7466
money;	7467
(d) The value in dollars and cents of the contribution;	7468
(e) A separately itemized account of all contributions and	7469
expenditures regardless of the amount, except a receipt of a	7470
contribution from a person in the sum of twenty-five dollars or	7471
less at one social or fund-raising activity and a receipt of a	7472
contribution transmitted pursuant to section 3599.031 of the	7473
Revised Code from amounts deducted from the wages and salaries of	7474
employees if the contribution from the amount deducted from the	7475
wages and salary of any one employee is twenty-five dollars or	7476
less aggregated in a calendar year. An account of the total	7477
contributions from each social or fund-raising activity shall	7478
include a description of and the value of each in-kind	7479
contribution received at that activity from any person who made	7480
one or more such contributions whose aggregate value exceeded two	7481
hundred fifty dollars and shall be listed separately, together	7482
with the expenses incurred and paid in connection with that	7483
activity. A campaign committee, political action committee,	7484
legislative campaign fund, political party, or political	7485
contributing entity shall keep records of contributions from each	7486
person in the amount of twenty-five dollars or less at one social	7487
or fund-raising activity and contributions from amounts deducted	7488
under section 3599.031 of the Revised Code from the wages and	7489
salary of each employee in the amount of twenty-five dollars or	7490

less aggregated in a calendar year. No continuing association that  
is recognized by a state or local committee of a political party  
as an auxiliary of the party and that makes a contribution from  
funds derived solely from regular dues paid by members of the  
auxiliary shall be required to list the name or address of any  
members who paid those dues.

Contributions that are other income shall be itemized  
separately from all other contributions. The information required  
under division (B)(4) of this section shall be provided for all  
other income itemized. As used in this paragraph, "other income"  
means a loan, investment income, or interest income.

(f) In the case of a campaign committee of a state elected  
officer, if a person doing business with the state elected officer  
in the officer's official capacity makes a contribution to the  
campaign committee of that officer, the information required under  
division (B)(4) of this section in regard to that contribution,  
which shall be filed together with and considered a part of the  
committee's statement of contributions as required under division  
(A) of this section but shall be filed on a separate form provided  
by the secretary of state. As used in this division:

(i) "State elected officer" has the same meaning as in  
section 3517.092 of the Revised Code.

(ii) "Person doing business" means a person or an officer of  
an entity who enters into one or more contracts with a state  
elected officer or anyone authorized to enter into contracts on  
behalf of that officer to receive payments for goods or services,  
if the payments total, in the aggregate, more than five thousand  
dollars during a calendar year.

(5) A statement of expenditures which shall include the  
following information:

(a) The month, day, and year of the expenditure;

(b) The full name and address of each person, political

party, campaign committee, legislative campaign fund, political	7523
action committee, or political contributing entity to whom the	7524
expenditure was made and the registration number assigned to the	7525
political action committee under division (D)(1) of this section;	7526
 (c) The object or purpose for which the expenditure was made;	 7527
 (d) The amount of each expenditure.	 7528
 (C)(1) The statement of contributions and expenditures shall	 7529
be signed by the person completing the form. If a statement of	7530
contributions and expenditures is filed by electronic means of	7531
transmission pursuant to this section or section 3517.106 of the	7532
Revised Code, the electronic signature of the person who executes	7533
the statement and transmits the statement by electronic means of	7534
transmission, as provided in division (H) of section 3517.106 of	7535
the Revised Code, shall be attached to or associated with the	7536
statement and shall be binding on all persons and for all purposes	7537
under the campaign finance reporting law as if the signature had	7538
been handwritten in ink on a printed form.	7539
 (2) The person filing the statement, under penalty of	 7540
election falsification, shall include with it a list of each	7541
anonymous contribution, the circumstances under which it was	7542
received, and the reason it cannot be attributed to a specific	7543
donor.	7544
 (3) Each statement of a campaign committee of a candidate who	 7545
holds public office shall contain a designation of each	7546
contributor who is an employee in any unit or department under the	7547
candidate's direct supervision and control. In a space provided in	7548
the statement, the person filing the statement shall affirm that	7549
each such contribution was voluntarily made.	7550
 (4) A campaign committee that did not receive contributions	 7551
or make expenditures in connection with the nomination or election	7552
of its candidate shall file a statement to that effect, on a form	7553
prescribed under this section and made under penalty of election	7554
falsification, on the date required in division (A)(2) of this	7555

section. 7556

(5) The campaign committee of any person who attempts to 7557  
become a candidate and who, for any reason, does not become 7558  
certified in accordance with Title XXXV of the Revised Code for 7559  
placement on the official ballot of a primary, general, or special 7560  
election to be held in this state, and who, at any time prior to 7561  
or after an election, receives contributions or makes 7562  
expenditures, or has given consent for another to receive 7563  
contributions or make expenditures, for the purpose of bringing 7564  
about the person's nomination or election to public office, shall 7565  
file the statement or statements prescribed by this section and a 7566  
termination statement, if applicable. Division (C)(5) of this 7567  
section does not apply to any person with respect to an election 7568  
to the offices of member of a county or state central committee, 7569  
presidential elector, or delegate to a national convention or 7570  
conference of a political party. 7571

(6)(a) The statements required to be filed under this section 7572  
shall specify the balance in the hands of the campaign committee, 7573  
political action committee, legislative campaign fund, political 7574  
party, or political contributing entity and the disposition 7575  
intended to be made of that balance. 7576

(b) The secretary of state shall prescribe the form for all 7577  
statements required to be filed under this section and shall 7578  
furnish the forms to the boards of elections in the several 7579  
counties. The boards of elections shall supply printed copies of 7580  
those forms without charge. The secretary of state shall prescribe 7581  
the appropriate methodology, protocol, and data file structure for 7582  
statements required or permitted to be filed by electronic means 7583  
of transmission under division (A) of this section, divisions (E), 7584  
(F), and (G) of section 3517.106, division (D) of section 7585  
3517.1011, division (B) of section 3517.1012, division (C) of 7586  
section 3517.1013, and divisions (D) and (I) of section 3517.1014 7587  
of the Revised Code. Subject to division (A) of this section, 7588  
divisions (E), (F), and (G) of section 3517.106, division (D) of 7589  
section 3517.1011, division (B) of section 3517.1012, division (C) 7590

of section 3517.1013, and divisions (D) and (I) of section 7591  
3517.1014 of the Revised Code, the statements required to be 7592  
stored on computer by the secretary of state under division (B) of 7593  
section 3517.106 of the Revised Code shall be filed in whatever 7594  
format the secretary of state considers necessary to enable the 7595  
secretary of state to store the information contained in the 7596  
statements on computer. Any such format shall be of a type and 7597  
nature that is readily available to whoever is required to file 7598  
the statements in that format. 7599

(c) The secretary of state shall assess the need for training 7600  
regarding the filing of campaign finance statements by electronic 7601  
means of transmission and regarding associated technologies for 7602  
candidates, campaign committees, political action committees, 7603  
legislative campaign funds, political parties, or political 7604  
contributing entities, for individuals, partnerships, or other 7605  
entities, for persons making disbursements to pay the direct costs 7606  
of producing or airing electioneering communications, or for 7607  
treasurers of transition funds, required or permitted to file 7608  
statements by electronic means of transmission under this section 7609  
or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 7610  
3517.1014 of the Revised Code. If, in the opinion of the secretary 7611  
of state, training in these areas is necessary, the secretary of 7612  
state shall arrange for the provision of voluntary training 7613  
programs for candidates, campaign committees, political action 7614  
committees, legislative campaign funds, political parties, or 7615  
political contributing entities, for individuals, partnerships, 7616  
and other entities, for persons making disbursements to pay the 7617  
direct costs of producing or airing electioneering communications, 7618  
or for treasurers of transition funds, as appropriate. 7619

(7) Each monthly statement and each two-business-day 7620  
statement required by division (A) of this section shall contain 7621  
the information required by divisions (B)(1) to (4), (C)(2), and, 7622  
if appropriate, (C)(3) of this section. Each statement shall be 7623  
signed as required by division (C)(1) of this section. 7624

(D)(1) Prior to receiving a contribution or making an 7625



expenditure, every campaign committee, political action committee, 7626  
legislative campaign fund, political party, or political 7627  
contributing entity shall appoint a treasurer and shall file, on a 7628  
form prescribed by the secretary of state, a designation of that 7629  
appointment, including the full name and address of the treasurer 7630  
and of the campaign committee, political action committee, 7631  
legislative campaign fund, political party, or political 7632  
contributing entity. That designation shall be filed with the 7633  
official with whom the campaign committee, political action 7634  
committee, legislative campaign fund, political party, or 7635  
political contributing entity is required to file statements under 7636  
section 3517.11 of the Revised Code. The name of a campaign 7637  
committee shall include at least the last name of the campaign 7638  
committee's candidate. If two or more candidates are the 7639  
beneficiaries of a single campaign committee under division (B) of 7640  
section 3517.081 of the Revised Code, the name of the campaign 7641  
committee shall include at least the last name of each candidate 7642  
who is a beneficiary of that campaign committee. The secretary of 7643  
state shall assign a registration number to each political action 7644  
committee that files a designation of the appointment of a 7645  
treasurer under this division if the political action committee is 7646  
required by division (A)(1) of section 3517.11 of the Revised Code 7647  
to file the statements prescribed by this section with the 7648  
secretary of state. 7649

(2) The treasurer appointed under division (D)(1) of this 7650  
section shall keep a strict account of all contributions, from 7651  
whom received and the purpose for which they were disbursed. 7652

(3)(a) Except as otherwise provided in section 3517.108 of 7653  
the Revised Code, a campaign committee shall deposit all monetary 7654  
contributions received by the committee into an account separate 7655  
from a personal or business account of the candidate or campaign 7656  
committee. 7657

(b) A political action committee shall deposit all monetary 7658  
contributions received by the committee into an account separate 7659  
from all other funds. 7660

(c) A state or county political party may establish a state candidate fund that is separate from an account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code and from all other funds. A state or county political party may deposit into its state candidate fund any amounts of monetary contributions that are made to or accepted by the political party subject to the applicable limitations, if any, prescribed in section 3517.102 of the Revised Code. A state or county political party shall deposit all other monetary contributions received by the party into one or more accounts that are separate from its state candidate fund and from its account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code.

(d) Each state political party shall have only one legislative campaign fund for each house of the general assembly. Each such fund shall be separate from any other funds or accounts of that state party. A legislative campaign fund is authorized to receive contributions and make expenditures for the primary purpose of furthering the election of candidates who are members of that political party to the house of the general assembly with which that legislative campaign fund is associated. Each legislative campaign fund shall be administered and controlled in a manner designated by the caucus. As used in this division, "caucus" has the same meaning as in section 3517.01 of the Revised Code and includes, as an ex officio member, the chairperson of the state political party with which the caucus is associated or that chairperson's designee.

(4) Every expenditure in excess of twenty-five dollars shall be vouched for by a receipted bill, stating the purpose of the expenditure, that shall be filed with the statement of expenditures. A canceled check with a notation of the purpose of the expenditure is a receipted bill for purposes of division (D)(4) of this section.

(5) The secretary of state or the board of elections, as the

case may be, shall issue a receipt for each statement filed under  
this section and shall preserve a copy of the receipt for a period  
of at least six years. All statements filed under this section  
shall be open to public inspection in the office where they are  
filed and shall be carefully preserved for a period of at least  
six years after the year in which they are filed.

(6) The secretary of state, by rule adopted pursuant to  
section 3517.23 of the Revised Code, shall prescribe both of the  
following:

(a) The manner of immediately acknowledging, with date and  
time received, and preserving the receipt of statements that are  
transmitted by electronic means of transmission to the secretary  
of state pursuant to this section or section 3517.106, 3517.1011,  
3517.1012, 3517.1013, or 3517.1014 of the Revised Code;

(b) The manner of preserving the contribution and  
expenditure, contribution and disbursement, deposit and  
disbursement, gift and disbursement, or donation and disbursement  
information in the statements described in division (D)(6)(a) of  
this section. The secretary of state shall preserve the  
contribution and expenditure, contribution and disbursement,  
deposit and disbursement, gift and disbursement, or donation and  
disbursement information in those statements for at least ten  
years after the year in which they are filed by electronic means  
of transmission.

(7) The secretary of state, pursuant to division (I) of  
section 3517.106 of the Revised Code, shall make available online  
to the public through the internet the contribution and  
expenditure, contribution and disbursement, deposit and  
disbursement, gift and disbursement, or donation and disbursement  
information in all statements, all addenda, amendments, or other  
corrections to statements, and all amended statements filed with  
the secretary of state by electronic or other means of  
transmission under this section, division (B)(2)(b) or (C)(2)(b)  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012,

3517.1013, 3517.1014, or 3517.11 of the Revised Code. The  
secretary of state may remove the information from the internet  
after a reasonable period of time.

(E)(1) Any person, political party, campaign committee,  
legislative campaign fund, political action committee, or  
political contributing entity that makes a contribution in  
connection with the nomination or election of any candidate or in  
connection with any ballot issue or question at any election held  
or to be held in this state shall provide its full name and  
address to the recipient of the contribution at the time the  
contribution is made. The political action committee also shall  
provide the registration number assigned to the committee under  
division (D)(1) of this section to the recipient of the  
contribution at the time the contribution is made.

(2) Any individual who makes a contribution that exceeds one  
hundred dollars to a political action committee, political  
contributing entity, legislative campaign fund, or political party  
or to a campaign committee of a statewide candidate or candidate  
for the office of member of the general assembly shall provide the  
name of the individual's current employer, if any, or, if the  
individual is self-employed, the individual's occupation and the  
name of the individual's business, if any, to the recipient of the  
contribution at the time the contribution is made. Sections  
3599.39 and 3599.40 of the Revised Code do not apply to division  
(E)(2) of this section.

(3) If a campaign committee shows that it has exercised its  
best efforts to obtain, maintain, and submit the information  
required under divisions (B)(4)(b)(ii) and (iii) of this section,  
that committee is considered to have met the requirements of those  
divisions. A campaign committee shall not be considered to have  
exercised its best efforts unless, in connection with written  
solicitations, it regularly includes a written request for the  
information required under division (B)(4)(b)(ii) of this section  
from the contributor or the information required under division  
(B)(4)(b)(iii) of this section from whoever transmits the

contribution. 7764

(4) Any check that a political action committee uses to make 7765  
a contribution or an expenditure shall contain the full name and 7766  
address of the committee and the registration number assigned to 7767  
the committee under division (D)(1) of this section. 7768

(F) As used in this section: 7769

(1)(a) Except as otherwise provided in division (F)(1) of 7770  
this section, "address" means all of the following if they exist: 7771  
apartment number, street, road, or highway name and number, rural 7772  
delivery route number, city or village, state, and zip code as 7773  
used in a person's post-office address, but not post-office box. 7774

(b) Except as otherwise provided in division (F)(1) of this 7775  
section, if an address is required in this section, a post-office 7776  
box and office, room, or suite number may be included in addition 7777  
to, but not in lieu of, an apartment, street, road, or highway 7778  
name and number. 7779

(c) If an address is required in this section, a campaign 7780  
committee, political action committee, legislative campaign fund, 7781  
political party, or political contributing entity may use the 7782  
business or residence address of its treasurer or deputy 7783  
treasurer. The post-office box number of the campaign committee, 7784  
political action committee, legislative campaign fund, political 7785  
party, or political contributing entity may be used in addition to 7786  
that address. 7787

(d) For the sole purpose of a campaign committee's reporting 7788  
of contributions on a statement of contributions received under 7789  
division (B)(4) of this section, "address" has one of the 7790  
following meanings at the option of the campaign committee: 7791

(i) The same meaning as in division (F)(1)(a) of this 7792  
section; 7793

(ii) All of the following, if they exist: the contributor's 7794

post-office box number and city or village, state, and zip code as  
used in the contributor's post-office address.

(e) As used with regard to the reporting under this section  
of any expenditure, "address" means all of the following if they  
exist: apartment number, street, road, or highway name and number,  
rural delivery route number, city or village, state, and zip code  
as used in a person's post-office address, or post-office box. If  
an address concerning any expenditure is required in this section,  
a campaign committee, political action committee, legislative  
campaign fund, political party, or political contributing entity  
may use the business or residence address of its treasurer or  
deputy treasurer or its post-office box number.

(2) "Statewide candidate" means the joint candidates for the  
offices of governor and lieutenant governor or a candidate for the  
office of secretary of state, auditor of state, treasurer of  
state, attorney general, member of the state board of education,  
chief justice of the supreme court, or justice of the supreme  
court.

(3) "Candidate for county office" means a candidate for the  
office of county auditor, county treasurer, clerk of the court of  
common pleas, judge of the court of common pleas, sheriff, county  
recorder, county engineer, county commissioner, prosecuting  
attorney, or coroner.

(G) An independent expenditure shall be reported whenever and  
in the same manner that an expenditure is required to be reported  
under this section and shall be reported pursuant to division  
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code.

(H)(1) Except as otherwise provided in division (H)(2) of  
this section, if, during the combined pre-election and  
postelection reporting periods for an election, a campaign  
committee has received contributions of five hundred dollars or  
less and has made expenditures in the total amount of five hundred  
dollars or less, it may file a statement to that effect, under  
penalty of election falsification, in lieu of the statement

required by division (A)(2) of this section. The statement shall  
indicate the total amount of contributions received and the total  
amount of expenditures made during those combined reporting  
periods.

(2) In the case of a successful candidate at a primary  
election, if either the total contributions received by or the  
total expenditures made by the candidate's campaign committee  
during the preprimary, postprimary, pregeneral, and postgeneral  
election periods combined equal more than five hundred dollars,  
the campaign committee may file the statement under division  
(H)(1) of this section only for the primary election. The first  
statement that the campaign committee files in regard to the  
general election shall reflect all contributions received and all  
expenditures made during the preprimary and postprimary election  
periods.

(3) Divisions (H)(1) and (2) of this section do not apply if  
a campaign committee receives contributions or makes expenditures  
prior to the first day of January of the year of the election at  
which the candidate seeks nomination or election to office or if  
the campaign committee does not file a termination statement with  
its postprimary election statement in the case of an unsuccessful  
primary election candidate or with its postgeneral election  
statement in the case of other candidates.

(I) In the case of a contribution made by a partner of a  
partnership or an owner or a member of another unincorporated  
business from any funds of the partnership or other unincorporated  
business, all of the following apply:

(1) The recipient of the contribution shall report the  
contribution by listing both the partnership or other  
unincorporated business and the name of the partner, owner, or  
member making the contribution.

(2) In reporting the contribution, the recipient of the  
contribution shall be entitled to conclusively rely upon the  
information provided by the partnership or other unincorporated

business, provided that the information includes one of the 7863  
following: 7864

(a) The name of each partner, owner, or member as of the date 7865  
of the contribution or contributions, and a statement that the 7866  
total contributions are to be allocated equally among all of the 7867  
partners, owners, or members; or 7868

(b) The name of each partner, owner, or member as of the date 7869  
of the contribution or contributions who is participating in the 7870  
contribution or contributions, and a statement that the 7871  
contribution or contributions are to be allocated to those 7872  
individuals in accordance with the information provided by the 7873  
partnership or other unincorporated business to the recipient of 7874  
the contribution. 7875

(3) For purposes of section 3517.102 of the Revised Code, the 7876  
contribution shall be considered to have been made by the partner, 7877  
owner, or member reported under division (I)(1) of this section. 7878

(4) No contribution from a partner of a partnership or an 7879  
owner or a member of another unincorporated business shall be 7880  
accepted from any funds of the partnership or other unincorporated 7881  
business unless the recipient reports the contribution under 7882  
division (I)(1) of this section together with the information 7883  
provided under division (I)(2) of this section. 7884

(5) No partnership or other unincorporated business shall 7885  
make a contribution or contributions solely in the name of the 7886  
partnership or other unincorporated business. 7887

(6) As used in division (I) of this section, "partnership or 7888  
other unincorporated business" includes, but is not limited to, a 7889  
cooperative, a sole proprietorship, a general partnership, a 7890  
limited partnership, a limited partnership association, a limited 7891  
liability partnership, and a limited liability company. 7892

(J) A candidate shall have only one campaign committee at any 7893  
given time for all of the offices for which the person is a 7894



candidate or holds office. 7895

(K)(1) In addition to filing a designation of appointment of 7896  
a treasurer under division (D)(1) of this section, the campaign 7897  
committee of any candidate for an elected municipal office that 7898  
pays an annual amount of compensation of five thousand dollars or 7899  
less, the campaign committee of any candidate for member of a 7900  
board of education except member of the state board of education, 7901  
or the campaign committee of any candidate for township trustee or 7902  
township fiscal officer may sign, under penalty of election 7903  
falsification, a certificate attesting that the committee will not 7904  
accept contributions during an election period that exceed in the 7905  
aggregate two thousand dollars from all contributors and one 7906  
hundred dollars from any one individual, and that the campaign 7907  
committee will not make expenditures during an election period 7908  
that exceed in the aggregate two thousand dollars. 7909

The certificate shall be on a form prescribed by the 7910  
secretary of state and shall be filed not later than ten days 7911  
after the candidate files a declaration of candidacy and petition, 7912  
a nominating petition, or a declaration of intent to be a write-in 7913  
candidate. 7914

(2) Except as otherwise provided in division (K)(3) of this 7915  
section, a campaign committee that files a certificate under 7916  
division (K)(1) of this section is not required to file the 7917  
statements required by division (A) of this section. 7918

(3) If, after filing a certificate under division (K)(1) of 7919  
this section, a campaign committee exceeds any of the limitations 7920  
described in that division during an election period, the 7921  
certificate is void and thereafter the campaign committee shall 7922  
file the statements required by division (A) of this section. If 7923  
the campaign committee has not previously filed a statement, then 7924  
on the first statement the campaign committee is required to file 7925  
under division (A) of this section after the committee's 7926  
certificate is void, the committee shall report all contributions 7927  
received and expenditures made from the time the candidate filed 7928

the candidate's declaration of candidacy and petition, nominating  
petition, or declaration of intent to be a write-in candidate.

(4) As used in division (K) of this section, "election  
period" means the period of time beginning on the day a person  
files a declaration of candidacy and petition, nominating  
petition, or declaration of intent to be a write-in candidate  
through the day of the election at which the person seeks  
nomination to office if the person is not elected to office, or,  
if the candidate was nominated in a primary election, the day of  
the election at which the candidate seeks office.

(L) A political contributing entity that receives  
contributions from the dues, membership fees, or other assessments  
of its members or from its officers, shareholders, and employees  
may report the aggregate amount of contributions received from  
those contributors and the number of individuals making those  
contributions, for each filing period under divisions (A)(1), (2),  
(3), and (4) of this section, rather than reporting information as  
required under division (B)(4) of this section, including, when  
applicable, the name of the current employer, if any, of a  
contributor whose contribution exceeds one hundred dollars or, if  
such a contributor is self-employed, the contributor's occupation  
and the name of the contributor's business, if any. Division  
(B)(4) of this section applies to a political contributing entity  
with regard to contributions it receives from all other  
contributors.

**Sec. 3517.102.** (A) Except as otherwise provided in section  
3517.103 of the Revised Code, as used in this section and sections  
3517.103 and 3517.104 of the Revised Code:

(1) "Candidate" has the same meaning as in section 3517.01 of  
the Revised Code but includes only candidates for the offices of  
governor, lieutenant governor, secretary of state, auditor of  
state, treasurer of state, attorney general, member of the state  
board of education, member of the general assembly, chief justice  
of the supreme court, and justice of the supreme court.

(2) "Statewide candidate" or "any one statewide candidate"	7963
means the joint candidates for the offices of governor and	7964
lieutenant governor or a candidate for the office of secretary of	7965
state, auditor of state, treasurer of state, attorney general,	7966
member of the state board of education, chief justice of the	7967
supreme court, or justice of the supreme court.	7968
(3) "Senate candidate" means a candidate for the office of	7969
state senator.	7970
(4) "House candidate" means a candidate for the office of	7971
state representative.	7972
(5)(a) "Primary election period" for a candidate begins on	7973
the beginning date of the candidate's pre-filing period specified	7974
in division (A)(9) of section 3517.109 of the Revised Code and	7975
ends on the day of the primary election.	7976
(b) In regard to any candidate, the "general election period"	7977
begins on the day after the primary election immediately preceding	7978
the general election at which the candidate seeks an office	7979
specified in division (A)(1) of this section and ends on the	7980
thirty-first day of December following that general election.	7981
(6) "State candidate fund" means the state candidate fund	7982
established by a state or county political party under division	7983
(D)(3)(c) of section 3517.10 of the Revised Code.	7984
(7) "Postgeneral election statement" means the statement	7985
filed under division (A)(2) of section 3517.10 of the Revised Code	7986
by the campaign committee of a candidate after the general	7987
election in which the candidate ran for office or filed by	7988
legislative campaign fund after the general election in an	7989
even-numbered year.	7990
(8) "Contribution" means any contribution that is required to	7991
be reported in the statement of contributions under section	7992
3517.10 of the Revised Code.	7993

(9)(a) Except as otherwise provided in division (A)(9)(b) of this section <del>and in division (F) of section 3517.103 and division (B)(3)(b) of section 3517.1010 of the Revised Code</del> , "designated state campaign committee" means:	7994 7995 7996 7997
(i) In the case of contributions to or from a state political party, a campaign committee of a statewide candidate, statewide officeholder, senate candidate, house candidate, or member of the general assembly.	7998 7999 8000 8001
(ii) In the case of contributions to or from a county political party, a campaign committee of a senate candidate or house candidate whose candidacy is to be submitted to some or all of the electors in that county, or member of the general assembly whose district contains all or part of that county.	8002 8003 8004 8005 8006
(iii) In the case of contributions to or from a legislative campaign fund, a campaign committee of any of the following:	8007 8008
(I) A senate or house candidate who, if elected, will be a member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated;	8009 8010 8011 8012
(II) A state senator or state representative who is a member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated.	8013 8014 8015 8016
(b) A campaign committee is no longer a "designated state campaign committee" after the campaign committee's candidate changes the designation of treasurer required to be filed under division (D)(1) of section 3517.10 of the Revised Code to indicate that the person intends to be a candidate for, or becomes a candidate for nomination or election to, any office that, if elected, would not qualify that candidate's campaign committee as a "designated state campaign committee" under division (A)(9)(a) of this section.	8017 8018 8019 8020 8021 8022 8023 8024 8025

(B)(1)(a) No individual who is seven years of age or older shall make a contribution or contributions aggregating more than:	8026 8027
(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	8028 8029 8030
(ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	8031 8032 8033
(iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	8034 8035 8036
(iv) Ten thousand dollars to a county political party of the county in which the individual's designated Ohio residence is located for the party's state candidate fund in a calendar year;	8037 8038 8039
(v) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;	8040 8041
(vi) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	8042 8043
(vii) Ten thousand dollars to any one political action committee in a calendar year;	8044 8045
(viii) Ten thousand dollars to any one political contributing entity in a calendar year.	8046 8047
(b) No individual shall make a contribution or contributions to the state candidate fund of a county political party of any county other than the county in which the individual's designated Ohio residence is located.	8048 8049 8050 8051
(c) No individual who is under seven years of age shall make any contribution.	8052 8053

(2)(a) Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:	8054 8055 8056
(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	8057 8058 8059
(ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	8060 8061 8062
(iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	8063 8064 8065
(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;	8066 8067
(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	8068 8069
(vi) Ten thousand dollars to another political action committee or to a political contributing entity in a calendar year. This division does not apply to a political action committee that makes a contribution to a political action committee or a political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee or with a political contributing entity if they are both established, financed, maintained, or controlled by, or if they are, the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.	8070 8071 8072 8073 8074 8075 8076 8077 8078 8079 8080 8081 8082
(b) No political action committee shall make a contribution or contributions to a county political party for the party's state candidate fund.	8083 8084 8085

(3) No campaign committee shall make a contribution or contributions aggregating more than:	8086 8087
(a) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	8088 8089 8090
(b) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	8091 8092 8093
(c) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	8094 8095 8096
(d) Ten thousand dollars to any one political action committee in a calendar year;	8097 8098
(e) Ten thousand dollars to any one political contributing entity in a calendar year.	8099 8100
(4)(a) Subject to division (D)(3) of this section, no political party shall make a contribution or contributions aggregating more than ten thousand dollars to any one political action committee or to any one political contributing entity in a calendar year.	8101 8102 8103 8104 8105
(b) No county political party shall make a contribution or contributions to another county political party.	8106 8107
(5)(a) Subject to division (B)(5)(b) of this section, no campaign committee, other than a designated state campaign committee, shall make a contribution or contributions aggregating in a calendar year more than:	8108 8109 8110 8111
(i) Thirty thousand dollars to any one state political party for the party's state candidate fund;	8112 8113

(ii) Fifteen thousand dollars to any one legislative campaign fund;	8114 8115
(iii) Ten thousand dollars to any one county political party for the party's state candidate fund.	8116 8117
(b) No campaign committee shall make a contribution or contributions to a county political party for the party's state candidate fund unless one of the following applies:	8118 8119 8120
(i) The campaign committee's candidate will appear on a ballot in that county.	8121 8122
(ii) The campaign committee's candidate is the holder of an elected public office that represents all or part of the population of that county at the time the contribution is made.	8123 8124 8125
(6)(a) No state candidate fund of a county political party shall make a contribution or contributions, except a contribution or contributions to a designated state campaign committee, in a primary election period or a general election period, aggregating more than:	8126 8127 8128 8129 8130
(i) Two hundred fifty thousand dollars to the campaign committee of any one statewide candidate;	8131 8132
(ii) Ten thousand dollars to the campaign committee of any one senate candidate;	8133 8134
(iii) Ten thousand dollars to the campaign committee of any one house candidate.	8135 8136
(b)(i) No state candidate fund of a state or county political party shall make a transfer or a contribution or transfers or contributions of cash or cash equivalents to a designated state campaign committee in a primary election period or in a general election period aggregating more than:	8137 8138 8139 8140 8141
(I) Five hundred thousand dollars to the campaign committee	8142



of any one statewide candidate;	8143
(II) One hundred thousand dollars to the campaign committee of any one senate candidate;	8144 8145
(III) Fifty thousand dollars to the campaign committee of any one house candidate.	8146 8147
(ii) No legislative campaign fund shall make a transfer or a contribution or transfers or contributions of cash or cash equivalents to a designated state campaign committee aggregating more than:	8148 8149 8150 8151
(I) Fifty thousand dollars in a primary election period or one hundred thousand dollars in a general election period to the campaign committee of any one senate candidate;	8152 8153 8154
(II) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period to the campaign committee of any one house candidate.	8155 8156 8157
(iii) As used in divisions (B)(6)(b) and (C)(6) of this section, "transfer or contribution of cash or cash equivalents" does not include any in-kind contributions.	8158 8159 8160
(c) A county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand may make one or more contributions from other accounts to any one statewide candidate or to any one designated state campaign committee that do not exceed, in the aggregate, two thousand five hundred dollars in any primary election period or general election period. As used in this division, "other accounts" does not include an account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code.	8161 8162 8163 8164 8165 8166 8167 8168 8169 8170
(d) No legislative campaign fund shall make a contribution, other than to a designated state campaign committee or to the state candidate fund of a political party.	8171 8172 8173

(7)(a) Subject to division (D)(1) of this section, no political contributing entity shall make a contribution or contributions aggregating more than:	8174 8175 8176
(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	8177 8178 8179
(ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	8180 8181 8182
(iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	8183 8184 8185
(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;	8186 8187
(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	8188 8189
(vi) Ten thousand dollars to another political contributing entity or to a political action committee in a calendar year. This division does not apply to a political contributing entity that makes a contribution to a political contributing entity or a political action committee affiliated with it. For purposes of this division, a political contributing entity is affiliated with another political contributing entity or with a political action committee if they are both established, financed, maintained, or controlled by, or if they are, the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.	8190 8191 8192 8193 8194 8195 8196 8197 8198 8199 8200 8201 8202
(b) No political contributing entity shall make a contribution or contributions to a county political party for the	8203 8204

party's state candidate fund.	8205
(C)(1)(a) Subject to division (D)(1) of this section, no	8206
campaign committee of a statewide candidate shall do any of the	8207
following:	8208
(i) Knowingly accept a contribution or contributions from any	8209
individual who is under seven years of age;	8210
(ii) Accept a contribution or contributions aggregating more	8211
than ten thousand dollars from any one individual who is seven	8212
years of age or older, from any one political action committee,	8213
from any one political contributing entity, or from any one other	8214
campaign committee in a primary election period or in a general	8215
election period;	8216
(iii) Accept a contribution or contributions aggregating more	8217
than two hundred fifty thousand dollars from any one or	8218
combination of state candidate funds of county political parties	8219
in a primary election period or in a general election period.	8220
(b) No campaign committee of a statewide candidate shall	8221
accept a contribution or contributions aggregating more than two	8222
thousand five hundred dollars in a primary election period or in a	8223
general election period from a county political party that has no	8224
state candidate fund and that is located in a county having a	8225
population of less than one hundred fifty thousand.	8226
(2)(a) Subject to division (D)(1) of this section and except	8227
for a designated state campaign committee, no campaign committee	8228
of a senate candidate shall do either of the following:	8229
(i) Knowingly accept a contribution or contributions from any	8230
individual who is under seven years of age;	8231
(ii) Accept a contribution or contributions aggregating more	8232
than ten thousand dollars from any one individual who is seven	8233
years of age or older, from any one political action committee,	8234
from any one political contributing entity, from any one state	8235

candidate fund of a county political party, or from any one other  
campaign committee in a primary election period or in a general  
election period.

(b) No campaign committee of a senate candidate shall accept  
a contribution or contributions aggregating more than two thousand  
five hundred dollars in a primary election period or in a general  
election period from a county political party that has no state  
candidate fund and that is located in a county having a population  
of less than one hundred fifty thousand.

(3)(a) Subject to division (D)(1) of this section and except  
for a designated state campaign committee, no campaign committee  
of a house candidate shall do either of the following:

(i) Knowingly accept a contribution or contributions from any  
individual who is under seven years of age;

(ii) Accept a contribution or contributions aggregating more  
than ten thousand dollars from any one individual who is seven  
years of age or older, from any one political action committee,  
from any one political contributing entity, from any one state  
candidate fund of a county political party, or from any one other  
campaign committee in a primary election period or in a general  
election period.

(b) No campaign committee of a house candidate shall accept a  
contribution or contributions aggregating more than two thousand  
five hundred dollars in a primary election period or in a general  
election period from a county political party that has no state  
candidate fund and that is located in a county having a population  
of less than one hundred fifty thousand.

(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section  
and except for a designated state campaign committee, no county  
political party shall knowingly accept a contribution or  
contributions from any individual who is under seven years of age,  
or accept a contribution or contributions for the party's state  
candidate fund aggregating more than ten thousand dollars from any

one individual whose designated Ohio residence is located within 8269  
that county and who is seven years of age or older or from any one 8270  
campaign committee in a calendar year. 8271

(ii) Subject to division (D)(1) of this section, no county 8272  
political party shall accept a contribution or contributions for 8273  
the party's state candidate fund from any individual whose 8274  
designated Ohio residence is located outside of that county and 8275  
who is seven years of age or older, from any campaign committee 8276  
unless the campaign committee's candidate will appear on a ballot 8277  
in that county or unless the campaign committee's candidate is the 8278  
holder of an elected public office that represents all or part of 8279  
the population of that county at the time the contribution is 8280  
accepted, or from any political action committee or any political 8281  
contributing entity. 8282

(iii) No county political party shall accept a contribution 8283  
or contributions from any other county political party. 8284

(b) Subject to division (D)(1) of this section, no state 8285  
political party shall do either of the following: 8286

(i) Knowingly accept a contribution or contributions from any 8287  
individual who is under seven years of age; 8288

(ii) Accept a contribution or contributions for the party's 8289  
state candidate fund aggregating more than thirty thousand dollars 8290  
from any one individual who is seven years of age or older, from 8291  
any one political action committee, from any one political 8292  
contributing entity, or from any one campaign committee, other 8293  
than a designated state campaign committee, in a calendar year. 8294

(5) Subject to division (D)(1) of this section, no 8295  
legislative campaign fund shall do either of the following: 8296

(a) Knowingly accept a contribution or contributions from any 8297  
individual who is under seven years of age; 8298

(b) Accept a contribution or contributions aggregating more 8299

than fifteen thousand dollars from any one individual who is seven	8300
years of age or older, from any one political action committee,	8301
from any one political contributing entity, or from any one	8302
campaign committee, other than a designated state campaign	8303
committee, in a calendar year.	8304
 (6)(a) No designated state campaign committee shall accept a	8305
transfer or contribution of cash or cash equivalents from a state	8306
candidate fund of a state political party aggregating in a primary	8307
election period or a general election period more than:	8308
 (i) Five hundred thousand dollars, in the case of a campaign	8309
committee of a statewide candidate;	8310
 (ii) One hundred thousand dollars, in the case of a campaign	8311
committee of a senate candidate;	8312
 (iii) Fifty thousand dollars, in the case of a campaign	8313
committee of a house candidate.	8314
 (b) No designated state campaign committee shall accept a	8315
transfer or contribution of cash or cash equivalents from a	8316
legislative campaign fund aggregating more than:	8317
 (i) Fifty thousand dollars in a primary election period or	8318
one hundred thousand dollars in a general election period, in the	8319
case of a campaign committee of a senate candidate;	8320
 (ii) Twenty-five thousand dollars in a primary election	8321
period or fifty thousand dollars in a general election period, in	8322
the case of a campaign committee of a house candidate.	8323
 (c) No campaign committee of a candidate for the office of	8324
member of the general assembly, including a designated state	8325
campaign committee, shall accept a transfer or contribution of	8326
cash or cash equivalents from any one or combination of state	8327
candidate funds of county political parties aggregating in a	8328
primary election period or a general election period more than:	8329

(i) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;	8330 8331
(ii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.	8332 8333
(7)(a) Subject to division (D)(3) of this section, no political action committee and no political contributing entity shall do either of the following:	8334 8335 8336
(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age;	8337 8338
(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one campaign committee, or from any one political party in a calendar year.	8339 8340 8341 8342
(b) Subject to division (D)(1) of this section, no political action committee shall accept a contribution or contributions aggregating more than ten thousand dollars from another political action committee or from a political contributing entity in a calendar year. Subject to division (D)(1) of this section, no political contributing entity shall accept a contribution or contributions aggregating more than ten thousand dollars from another political contributing entity or from a political action committee in a calendar year. This division does not apply to a political action committee or political contributing entity that accepts a contribution from a political action committee or political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee or with a political contributing entity if they are both established, financed, maintained, or controlled by the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.	8343 8344 8345 8346 8347 8348 8349 8350 8351 8352 8353 8354 8355 8356 8357 8358 8359 8360 8361 8362

(D)(1)(a) For purposes of the limitations prescribed in 8363  
division (B)(2) of this section and the limitations prescribed in 8364  
divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, 8365  
whichever is applicable, all contributions made by and all 8366  
contributions accepted from political action committees that are 8367  
established, financed, maintained, or controlled by, or that are, 8368  
the same corporation, organization, labor organization, continuing 8369  
association, or other person, including any parent, subsidiary, 8370  
division, or department of that corporation, organization, labor 8371  
organization, continuing association, or other person, are 8372  
considered to have been made by or accepted from a single 8373  
political action committee. 8374

(b) For purposes of the limitations prescribed in division 8375  
(B)(7) of this section and the limitations prescribed in divisions 8376  
(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever 8377  
is applicable, all contributions made by and all contributions 8378  
accepted from political contributing entities that are 8379  
established, financed, maintained, or controlled by, or that are, 8380  
the same corporation, organization, labor organization, continuing 8381  
association, or other person, including any parent, subsidiary, 8382  
division, or department of that corporation, organization, labor 8383  
organization, continuing association, or other person, are 8384  
considered to have been made by or accepted from a single 8385  
political contributing entity. 8386

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), 8387  
(B)(4)(a), and (C)(7) of this section, "political action 8388  
committee" does not include a political action committee that is 8389  
organized to support or oppose a ballot issue or question and that 8390  
makes no contributions to or expenditures on behalf of a political 8391  
party, campaign committee, legislative campaign fund, political 8392  
action committee, or political contributing entity. As used in 8393  
divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of 8394  
this section, "political contributing entity" does not include a 8395  
political contributing entity that is organized to support or 8396  
oppose a ballot issue or question and that makes no contributions 8397  
to or expenditures on behalf of a political party, campaign 8398



committee, legislative campaign fund, political action committee,  
or political contributing entity. 8399  
8400

(3) For purposes of the limitations prescribed in divisions 8401  
(B)(4) and (C)(7)(a) of this section, all contributions made by 8402  
and all contributions accepted from a national political party, a 8403  
state political party, and a county political party are considered 8404  
to have been made by or accepted from a single political party and 8405  
shall be combined with each other to determine whether the 8406  
limitations have been exceeded. 8407

(E)(1) If a legislative campaign fund has kept a total amount 8408  
of contributions exceeding one hundred fifty thousand dollars at 8409  
the close of business on the seventh day before the postgeneral 8410  
election statement is required to be filed under section 3517.10 8411  
of the Revised Code, the legislative campaign fund shall comply 8412  
with division (E)(2) of this section. 8413

(2)(a) Any legislative campaign fund that has kept a total 8414  
amount of contributions in excess of the amount specified in 8415  
division (E)(1) of this section at the close of business on the 8416  
seventh day before the postgeneral election statement is required 8417  
to be filed under section 3517.10 of the Revised Code shall 8418  
dispose of the excess amount in the manner prescribed in division 8419  
(E)(2)(b)(i), (ii), or (iii) of this section not later than ninety 8420  
days after the day the postgeneral election statement is required 8421  
to be filed under section 3517.10 of the Revised Code. Any 8422  
legislative campaign fund that is required to dispose of an excess 8423  
amount of contributions under this division shall file a statement 8424  
on the ninetieth day after the postgeneral election statement is 8425  
required to be filed under section 3517.10 of the Revised Code 8426  
indicating the total amount of contributions the fund has at the 8427  
close of business on the seventh day before the postgeneral 8428  
election statement is required to be filed under section 3517.10 8429  
of the Revised Code and that the excess contributions were 8430  
disposed of pursuant to this division and division (E)(2)(b) of 8431  
this section. The statement shall be on a form prescribed by the 8432  
secretary of state and shall contain any additional information 8433

the secretary of state considers necessary. 8434

(b) Any legislative campaign fund that is required to dispose 8435  
of an excess amount of contributions under division (E)(2) of this 8436  
section shall dispose of that excess amount by doing any of the 8437  
following: 8438

(i) Giving the amount to the treasurer of state for deposit 8439  
into the state treasury to the credit of the Ohio elections 8440  
commission fund created by division (I) of section 3517.152 of the 8441  
Revised Code; 8442

(ii) Giving the amount to individuals who made contributions 8443  
to that legislative campaign fund as a refund of all or part of 8444  
their contributions; 8445

(iii) Giving the amount to a corporation that is exempt from 8446  
federal income taxation under subsection 501(a) and described in 8447  
subsection 501(c) of the Internal Revenue Code. 8448

(F)(1) No legislative campaign fund shall fail to file a 8449  
statement required by division (E) of this section. 8450

(2) No legislative campaign fund shall fail to dispose of 8451  
excess contributions as required by division (E) of this section. 8452

(G) Nothing in this section shall affect, be used in 8453  
determining, or supersede a limitation on campaign contributions 8454  
as provided for in the Federal Election Campaign Act. 8455

**Sec. 3517.103.** (A)~~(1)~~ For purposes of this section: 8456

~~(a)~~(1) "Statewide candidate" means the joint candidates for 8457  
the offices of governor and lieutenant governor or a candidate for 8458  
the office of secretary of state, auditor of state, treasurer of 8459  
state, attorney general, or member of the state board of 8460  
education. 8461

~~(b)~~(i)(2)(a) "Personal funds" means contributions to the 8462

campaign committee of a candidate by the candidate ~~or by the~~ 8463  
~~candidate's spouse, parents, children, sons in law,~~ 8464  
~~daughters in law, brothers, sisters, grandparents, mother in law,~~ 8465  
~~father in law, brothers in law, sisters in law, or grandparents by~~ 8466  
~~marriage.~~ 8467

~~(ii)(b)~~ A loan obtained by, guaranteed by, or for the benefit 8468  
of a statewide candidate, senate candidate, or house candidate 8469  
shall be considered "personal funds" subject to the provisions of 8470  
this section ~~and section 3517.1010 of the Revised Code~~ to the 8471  
extent that the loan is obtained or guaranteed by the candidate ~~or~~ 8472  
~~is for the benefit of the candidate and is obtained or guaranteed~~ 8473  
~~by the candidate's spouse, parents, children, sons in law,~~ 8474  
~~daughters in law, brothers, sisters, grandparents, mother in law,~~ 8475  
~~father in law, brothers in law, sisters in law, or grandparents by~~ 8476  
~~marriage.~~ A loan that is obtained or guaranteed and that is for 8477  
the benefit of a statewide candidate, senate candidate, or house 8478  
candidate shall not be considered "personal funds" for the 8479  
purposes of this section ~~and section 3517.1010 of the Revised Code~~ 8480  
but shall be considered to be a "contribution" for the purposes of 8481  
this chapter if the loan is obtained or guaranteed by anyone other 8482  
than the candidate ~~or the candidate's spouse, parents, children,~~ 8483  
~~sons in law, daughters in law, brothers, sisters, grandparents,~~ 8484  
~~mother in law, father in law, brothers in law, sisters in law, or~~ 8485  
~~grandparents by marriage.~~ 8486

~~(iii)(c)~~ When a debt or other obligation incurred by a 8487  
committee or by a candidate on behalf of the candidate's committee 8488  
~~described in division (C)(1) or (2) of this section~~ is to be paid 8489  
from "personal funds," those funds are considered to be expended 8490  
when the debt or other obligation is incurred, regardless of when 8491  
it is paid. 8492

~~(2)~~ For purposes of this chapter, a candidate is an 8493  
"opponent" when the candidate has indicated on the candidate's 8494  
most recently filed designation of treasurer that the candidate 8495  
seeks the same office at the same primary or general election as 8496  
another candidate whose campaign committee has filed a personal 8497

~~funds notice required by division (C)(1) or (2) of this section.~~ 8498

(B)(1) Except as otherwise provided in division (B)(2) of 8499  
this section, no statewide candidate or candidate for the office 8500  
of member of the general assembly shall make an expenditure of 8501  
personal funds to influence the results of an election for that 8502  
candidate's nomination or election to office unless the personal 8503  
funds are first deposited into the campaign fund of that 8504  
candidate's campaign committee. 8505

(2) A statewide candidate or candidate for the office of 8506  
member of the general assembly may make an expenditure of personal 8507  
funds without first depositing those funds into the campaign 8508  
committee's funds as long as the aggregate total of those 8509  
expenditures does not exceed five hundred dollars at any time 8510  
during an election period. After the candidate's campaign 8511  
committee reimburses the candidate for any direct expenditure of 8512  
personal funds, the amount that was reimbursed is no longer 8513  
included in the aggregate total of expenditures of personal funds 8514  
subject to the five-hundred-dollar limit. 8515

~~(C)(1) If the campaign committee of any statewide candidate 8516  
has received or expended or expects to expend more than one 8517  
hundred thousand dollars of personal funds during a primary 8518  
election period or one hundred fifty thousand dollars of personal 8519  
funds during a general election period, the campaign committee 8520  
shall file a personal funds notice in the manner provided in 8521  
division (C)(3) of this section indicating that the committee has 8522  
received or expended or expects to expend more than that amount. 8523  
For the purpose of this division, a joint team of candidates for 8524  
governor and lieutenant governor shall be considered a single 8525  
candidate and their personal funds shall be combined. 8526~~

~~(2) If the campaign committee of any senate candidate or 8527  
house candidate has received or expended or expects to expend more 8528  
than twenty five thousand dollars of personal funds during a 8529  
primary election period or twenty five thousand dollars of 8530  
personal funds during a general election period, the campaign 8531~~

committee shall file a personal funds notice in the manner 8532  
provided in division (C)(3) of this section indicating that the 8533  
committee has received or expended or expects to expend more than 8534  
that amount. 8535

(3) The personal funds notice required in divisions (C)(1) 8536  
and (2) of this section and the declaration of no limits required 8537  
under division (D)(2) of this section shall be on a form 8538  
prescribed by the secretary of state. The personal funds notice 8539  
required in divisions (C)(1) and (2) of this section shall be 8540  
filed not later than the earlier of the following times: 8541

(a) One hundred twenty days before a primary election, in the 8542  
case of personal funds received, expended, or expected to be 8543  
expended during a primary election period, or not later than one 8544  
hundred twenty days before a general election, in the case of 8545  
personal funds received, expended, or expected to be expended 8546  
during a general election period; 8547

(b) Two business days after the candidate's campaign 8548  
committee receives or makes an expenditure of personal funds or 8549  
the candidate makes an expenditure of personal funds on behalf of 8550  
the candidate's campaign committee during that election period 8551  
that exceed, in the aggregate, the amount specified in division 8552  
(C)(1) or (2) of this section. 8553

The personal funds notice required under divisions (C)(1) and 8554  
(2) of this section and the declaration of no limits required 8555  
under division (D)(2) of this section shall be filed wherever the 8556  
campaign committee files statements of contributions and 8557  
expenditures under section 3517.11 of the Revised Code. The board 8558  
of elections shall send to the secretary of state a copy of any 8559  
personal funds notice or declaration of no limits filed by the 8560  
campaign committee of a senate candidate or house candidate under 8561  
division (C)(3) or (D)(2) of this section. 8562

(D)(1) Whenever a campaign committee files a notice under 8563  
division (C)(1) or (2) of this section, and the campaign committee 8564  
of an opponent files a declaration of no limits pursuant to 8565

~~division (D)(2) of this section within thirty days of the filing  
of the personal funds notice under division (C)(1) or (2) of this  
section, the contribution limitations prescribed in section  
3517.102 of the Revised Code no longer apply to the campaign  
committee of the candidate's opponent.~~

~~(2) No campaign committee of a candidate described in  
division (D)(1) of this section shall accept any contribution or  
contributions from a contributor that exceed the limitations  
prescribed in section 3517.102 of the Revised Code until the  
committee files a declaration that the committee will accept  
contributions that exceed those limitations. This declaration  
shall be filed not later than thirty days after a candidate's  
opponent has filed a personal funds notice pursuant to division  
(C)(1) or (2) of section 3517.103 of the Revised Code, shall be  
referred to as the "declaration of no limits," and shall list all  
of the following:~~

~~(a) The amount of cash on hand in the candidate's campaign  
fund at the end of the day immediately preceding the day on which  
the candidate's campaign committee files the declaration of no  
limits;~~

~~(b) The value and description of all campaign assets worth  
five hundred dollars or more available to the candidate at the end  
of the day immediately preceding the day on which the candidate's  
campaign committee files the declaration of no limits.~~

~~(3) A candidate who was not an opponent of a candidate who  
filed the personal funds notice required under division (C)(3) of  
this section on the date the personal funds notice was filed may  
file the declaration of no limits pursuant to division (D)(2) of  
this section within thirty days after becoming an opponent of the  
candidate who filed the personal funds notice.~~

~~(4) If the candidate whose campaign committee filed a  
personal funds notice under division (C)(1) or (2) of this section  
fails to file a declaration of candidacy for the office listed on  
the designation of treasurer filed under division (D) of section~~

~~3517.10 of the Revised Code or files a declaration of candidacy or  
nominating petition for that office and dies or withdraws, both of  
the following apply to the campaign committee of that candidate's  
opponent if the opponent has filed a declaration of no limits  
pursuant to division (D) of this section:~~

~~(a) No contribution from a contributor may thereafter be  
accepted that, when added to the aggregate total of all  
contributions received by that committee from that contributor  
during the primary election period or general election period,  
whichever is applicable, would cause that committee to exceed the  
contribution limitations prescribed in section 3517.102 of the  
Revised Code for the applicable election period.~~

~~(b) The statement of primary day finances or the year end  
statement required to be filed under division (E) of section  
3517.1010 of the Revised Code shall be filed not later than  
fourteen days after the date the candidate's opponent fails to  
file a declaration of candidacy or nominating petition by the  
appropriate filing deadline, or dies or withdraws. For purposes of  
calculating permitted funds under division (A)(4) of section  
3517.1010 of the Revised Code, the primary or general election  
period, whichever is applicable, shall be considered to have ended  
on the filing deadline, in the case of an opponent who fails to  
file a declaration of candidacy or nominating petition, or on the  
date of the opponent's death or withdrawal. In such an event, the  
filing of a statement of primary day finances or year end finances  
and the disposing of any excess funds as required under division  
(B) of section 3517.1010 of the Revised Code satisfies the  
candidate's obligation to file such a statement for that election  
period.~~

~~(E)(1) No campaign committee shall fail to file a personal  
funds notice as required under division (C)(1) or (2) of this  
section.~~

~~(2) No campaign committee shall accept any contribution in  
excess of the contribution limitations prescribed in section~~

3517.102 of the Revised Code:	8634
(a) Unless a declaration of no limits has been filed under division (D)(2) of this section;	8635 8636
(b) In violation of division (D)(4) of this section once the candidate who filed a personal funds notice under division (C)(3) of this section fails to file a declaration of candidacy or nominating petition or that candidate dies or withdraws.	8637 8638 8639 8640
(3) No campaign committee that violates division (E)(1) of this section shall expend any personal funds in excess of the amount specified in division (C)(1) or (2) of this section, whichever is appropriate to the committee.	8641 8642 8643 8644
(4) The candidate of any campaign committee that violates division (E) of this section shall forfeit the candidate's nomination, if the candidate was nominated, or the office to which the candidate was elected, if the candidate was elected to office.	8645 8646 8647 8648
(F)(1) Whenever a campaign committee files a notice under division (C)(1) or (2) of this section or whenever the contribution limitations prescribed in section 3517.102 of the Revised Code do not apply to a campaign committee under division (D)(1) of this section, that committee is not a designated state campaign committee for the purpose of the limitations prescribed in section 3517.102 of the Revised Code with regard to contributions made by that campaign committee to a legislative campaign fund or to a state candidate fund of a state or county political party.	8649 8650 8651 8652 8653 8654 8655 8656 8657 8658
(2) Division (F)(1) of this section no longer applies to a campaign committee after both of the following occur:	8659 8660
(a) The primary or general election period during which the contribution limitations prescribed in section 3517.102 of the Revised Code did not apply after being removed pursuant to division (D) of this section has expired;	8661 8662 8663 8664



~~(b) When the campaign committee has disposed of all excess funds and excess aggregate contributions as required under section 3517.1010 of the Revised Code.~~

**Sec. 3517.106.** (A) As used in this section:

(1) "Statewide office" means any of the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, chief justice of the supreme court, and justice of the supreme court.

(2) "Addendum to a statement" includes an amendment or other correction to that statement.

(B)(1) The secretary of state shall store on computer the information contained in statements of contributions and expenditures and monthly statements required to be filed under section 3517.10 of the Revised Code and in statements of independent expenditures required to be filed under section 3517.105 of the Revised Code by any of the following:

(a) The campaign committees of candidates for statewide office;

(b) The political action committees and political contributing entities described in division (A)(1) of section 3517.11 of the Revised Code;

(c) Legislative campaign funds;

(d) State political parties;

(e) Individuals, partnerships, corporations, labor organizations, or other entities that make independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question;

(f) The campaign committees of candidates for the office of member of the general assembly;

(g) County political parties, with respect to their state  
candidate funds. 8694  
8695

(2) The secretary of state shall store on computer the 8696  
information contained in disclosure of electioneering 8697  
communications statements required to be filed under section 8698  
3517.1011 of the Revised Code. 8699

(3) The secretary of state shall store on computer the 8700  
information contained in deposit and disbursement statements 8701  
required to be filed with the office of the secretary of state 8702  
under section 3517.1012 of the Revised Code. 8703

(4) The secretary of state shall store on computer the gift 8704  
and disbursement information contained in statements required to 8705  
be filed with the office of the secretary of state under section 8706  
3517.1013 of the Revised Code. 8707

(5) The secretary of state shall store on computer the 8708  
information contained in donation and disbursement statements 8709  
required to be filed with the office of the secretary of state 8710  
under section 3517.1014 of the Revised Code. 8711

(C)(1) The secretary of state shall make available to the 8712  
campaign committees, political action committees, political 8713  
contributing entities, legislative campaign funds, political 8714  
parties, individuals, partnerships, corporations, labor 8715  
organizations, treasurers of transition funds, and other entities 8716  
described in division (B) of this section, and to members of the 8717  
news media and other interested persons, for a reasonable fee, 8718  
computer programs that are compatible with the secretary of 8719  
state's method of storing the information contained in the 8720  
statements. 8721

(2) The secretary of state shall make the information 8722  
required to be stored under division (B) of this section available 8723  
on computer at the secretary of state's office so that, to the 8724  
maximum extent feasible, individuals may obtain at the secretary 8725

of state's office any part or all of that information for any 8726  
given year, subject to the limitation expressed in division (D) of 8727  
this section. 8728

(D) The secretary of state shall keep the information stored 8729  
on computer under division (B) of this section for at least six 8730  
years. 8731

(E)(1) Subject to division (L) of this section and subject to 8732  
the secretary of state having implemented, tested, and verified 8733  
the successful operation of any system the secretary of state 8734  
prescribes pursuant to division (H)(1) of this section and 8735  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8736  
Code for the filing of campaign finance statements by electronic 8737  
means of transmission, the campaign committee of each candidate 8738  
for statewide office may file the statements prescribed by section 8739  
3517.10 of the Revised Code by electronic means of transmission 8740  
or, if the total amount of the contributions received or the total 8741  
amount of the expenditures made by the campaign committee for the 8742  
applicable reporting period as specified in division (A) of 8743  
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8744  
shall file those statements by electronic means of transmission. 8745

Except as otherwise provided in this division, within five 8746  
business days after a statement filed by a campaign committee of a 8747  
candidate for statewide office is received by the secretary of 8748  
state by electronic or other means of transmission, the secretary 8749  
of state shall make available online to the public through the 8750  
internet, as provided in division (I) of this section, the 8751  
contribution and expenditure information in that statement. The 8752  
secretary of state shall not make available online to the public 8753  
through the internet any contribution or expenditure information 8754  
contained in a statement for any candidate until the secretary of 8755  
state is able to make available online to the public through the 8756  
internet the contribution and expenditure information for all 8757  
candidates for a particular office, or until the applicable filing 8758  
deadline for that statement has passed, whichever is sooner. As 8759  
soon as the secretary of state has available all of the 8760

contribution and expenditure information for all candidates for a particular office, or as soon as the applicable filing deadline for a statement has passed, whichever is sooner, the secretary of state shall simultaneously make available online to the public through the internet the information for all candidates for that office.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the campaign committee shall file by electronic means of transmission any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a campaign committee of a candidate for statewide office an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum or amended statement available online to the public through the internet as provided in division (I) of this section.

(2) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (H)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a political action committee and a political contributing entity described in division (B)(1)(b) of this section, a legislative campaign fund, and a state political party may file the statements prescribed by section 3517.10 of the Revised Code by electronic means of transmission or, if the total amount of the contributions received or the total amount of the expenditures made by the political action committee, political

contributing entity, legislative campaign fund, or state political  
party for the applicable reporting period as specified in division  
(A) of section 3517.10 of the Revised Code exceeds ten thousand  
dollars, shall file those statements by electronic means of  
transmission.

Within five business days after a statement filed by a  
political action committee or a political contributing entity  
described in division (B)(1)(b) of this section, a legislative  
campaign fund, or a state political party is received by the  
secretary of state by electronic or other means of transmission,  
the secretary of state shall make available online to the public  
through the internet, as provided in division (I) of this section,  
the contribution and expenditure information in that statement.

If a statement filed by electronic means of transmission is  
found to be incomplete or inaccurate after the examination of the  
statement for completeness and accuracy pursuant to division  
(B)(3)(a) of section 3517.11 of the Revised Code, the political  
action committee, political contributing entity, legislative  
campaign fund, or state political party shall file by electronic  
means of transmission any addendum to the statement that provides  
the information necessary to complete or correct the statement or,  
if required by the secretary of state under that division, an  
amended statement.

Within five business days after the secretary of state  
receives from a political action committee or a political  
contributing entity described in division (B)(1)(b) of this  
section, a legislative campaign fund, or a state political party  
an addendum to the statement or an amended statement by electronic  
or other means of transmission under this division or division  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of  
state shall make the contribution and expenditure information in  
the addendum or amended statement available online to the public  
through the internet as provided in division (I) of this section.

(3) Subject to the secretary of state having implemented,

tested, and verified the successful operation of any system the 8830  
secretary of state prescribes pursuant to division (H)(1) of this 8831  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8832  
the Revised Code for the filing of campaign finance statements by 8833  
electronic means of transmission, a county political party shall 8834  
file the statements prescribed by section 3517.10 of the Revised 8835  
Code with respect to its state candidate fund by electronic means 8836  
of transmission to the office of the secretary of state. 8837

Within five business days after a statement filed by a county 8838  
political party with respect to its state candidate fund is 8839  
received by the secretary of state by electronic means of 8840  
transmission, the secretary of state shall make available online 8841  
to the public through the internet, as provided in division (I) of 8842  
this section, the contribution and expenditure information in that 8843  
statement. 8844

If a statement is found to be incomplete or inaccurate after 8845  
the examination of the statement for completeness and accuracy 8846  
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 8847  
Code, a county political party shall file by electronic means of 8848  
transmission any addendum to the statement that provides the 8849  
information necessary to complete or correct the statement or, if 8850  
required by the secretary of state under that division, an amended 8851  
statement. 8852

Within five business days after the secretary of state 8853  
receives from a county political party an addendum to the 8854  
statement or an amended statement by electronic means of 8855  
transmission under this division or division (B)(3)(a) of section 8856  
3517.11 of the Revised Code, the secretary of state shall make the 8857  
contribution and expenditure information in the addendum or 8858  
amended statement available online to the public through the 8859  
internet as provided in division (I) of this section. 8860

(F)(1) Subject to division (L) of this section and subject to 8861  
the secretary of state having implemented, tested, and verified 8862  
the successful operation of any system the secretary of state 8863

prescribes pursuant to division (H)(1) of this section and 8864  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8865  
Code for the filing of campaign finance statements by electronic 8866  
means of transmission, a campaign committee of a candidate for the 8867  
office of member of the general assembly or a campaign committee 8868  
of a candidate for the office of judge of a court of appeals may 8869  
file the statements prescribed by section 3517.10 of the Revised 8870  
Code in accordance with division (A)(2) of section 3517.11 of the 8871  
Revised Code or by electronic means of transmission to the office 8872  
of the secretary of state or, if the total amount of the 8873  
contributions received by the campaign committee for the 8874  
applicable reporting period as specified in division (A) of 8875  
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8876  
shall file those statements by electronic means of transmission to 8877  
the office of the secretary of state. 8878

Except as otherwise provided in this division, within five 8879  
business days after a statement filed by a campaign committee of a 8880  
candidate for the office of member of the general assembly or a 8881  
campaign committee of a candidate for the office of judge of a 8882  
court of appeals is received by the secretary of state by 8883  
electronic or other means of transmission, the secretary of state 8884  
shall make available online to the public through the internet, as 8885  
provided in division (I) of this section, the contribution and 8886  
expenditure information in that statement. The secretary of state 8887  
shall not make available online to the public through the internet 8888  
any contribution or expenditure information contained in a 8889  
statement for any candidate until the secretary of state is able 8890  
to make available online to the public through the internet the 8891  
contribution and expenditure information for all candidates for a 8892  
particular office, or until the applicable filing deadline for 8893  
that statement has passed, whichever is sooner. As soon as the 8894  
secretary of state has available all of the contribution and 8895  
expenditure information for all candidates for a particular 8896  
office, or as soon as the applicable filing deadline for a 8897  
statement has passed, whichever is sooner, the secretary of state 8898  
shall simultaneously make available online to the public through 8899  
the internet the information for all candidates for that office. 8900

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the campaign committee shall file by electronic means of transmission to the office of the secretary of state any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum or amended statement available online to the public through the internet as provided in division (I) of this section.

(2) If a statement, addendum, or amended statement is not filed by electronic means of transmission to the office of the secretary of state but is filed by printed version only under division (A)(2) of section 3517.11 of the Revised Code with the appropriate board of elections, the campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals shall file two copies of the printed version of the statement, addendum, or amended statement with the board of elections. The board of elections shall send one of those copies by ~~certified~~ mail or an electronic copy to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

(G) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the



secretary of state prescribes pursuant to division (H)(1) of this 8935  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8936  
the Revised Code for the filing of campaign finance statements by 8937  
electronic means of transmission, any individual, partnership, or 8938  
other entity that makes independent expenditures in support of or 8939  
opposition to a statewide candidate or a statewide ballot issue or 8940  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 8941  
3517.105 of the Revised Code may file the statement specified in 8942  
that division by electronic means of transmission or, if the total 8943  
amount of independent expenditures made during the reporting 8944  
period under that division exceeds ten thousand dollars, shall 8945  
file the statement specified in that division by electronic means 8946  
of transmission. 8947

Within five business days after a statement filed by an 8948  
individual, partnership, or other entity is received by the 8949  
secretary of state by electronic or other means of transmission, 8950  
the secretary of state shall make available online to the public 8951  
through the internet, as provided in division (I) of this section, 8952  
the expenditure information in that statement. 8953

If a statement filed by electronic means of transmission is 8954  
found to be incomplete or inaccurate after the examination of the 8955  
statement for completeness and accuracy pursuant to division 8956  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 8957  
partnership, or other entity shall file by electronic means of 8958  
transmission any addendum to the statement that provides the 8959  
information necessary to complete or correct the statement or, if 8960  
required by the secretary of state under that division, an amended 8961  
statement. 8962

Within five business days after the secretary of state 8963  
receives from an individual, partnership, or other entity 8964  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 8965  
of the Revised Code an addendum to the statement or an amended 8966  
statement by electronic or other means of transmission under this 8967  
division or division (B)(3)(a) of section 3517.11 of the Revised 8968  
Code, the secretary of state shall make the expenditure 8969

information in the addendum or amended statement available online 8970  
to the public through the internet as provided in division (I) of 8971  
this section. 8972

(H)(1) The secretary of state, by rule adopted pursuant to 8973  
section 3517.23 of the Revised Code, shall prescribe one or more 8974  
techniques by which a person who executes and transmits by 8975  
electronic means a statement of contributions and expenditures, a 8976  
statement of independent expenditures, a disclosure of 8977  
electioneering communications statement, a deposit and 8978  
disbursement statement, a gift and disbursement statement, or a 8979  
donation and disbursement statement, an addendum to any of those 8980  
statements, an amended statement of contributions and 8981  
expenditures, an amended statement of independent expenditures, an 8982  
amended disclosure of electioneering communications statement, an 8983  
amended deposit and disbursement statement, an amended gift and 8984  
disbursement statement, or an amended donation and disbursement 8985  
statement, under this section or section 3517.10, 3517.105, 8986  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 8987  
shall electronically sign the statement, addendum, or amended 8988  
statement. Any technique prescribed by the secretary of state 8989  
pursuant to this division shall create an electronic signature 8990  
that satisfies all of the following: 8991

(a) It is unique to the signer. 8992

(b) It objectively identifies the signer. 8993

(c) It involves the use of a signature device or other means 8994  
or method that is under the sole control of the signer and that 8995  
cannot be readily duplicated or compromised. 8996

(d) It is created and linked to the electronic record to 8997  
which it relates in a manner that, if the record or signature is 8998  
intentionally or unintentionally changed after signing, the 8999  
electronic signature is invalidated. 9000

(2) An electronic signature prescribed by the secretary of 9001  
state under division (H)(1) of this section shall be attached to 9002

or associated with the statement of contributions and 9003  
expenditures, the statement of independent expenditures, the 9004  
disclosure of electioneering communications statement, the deposit 9005  
and disbursement statement, the gift and disbursement statement, 9006  
or the donation and disbursement statement, the addendum to any of 9007  
those statements, the amended statement of contributions and 9008  
expenditures, the amended statement of independent expenditures, 9009  
the amended disclosure of electioneering communications statement, 9010  
the amended deposit and disbursement statement, the amended gift 9011  
and disbursement statement, or the amended donation and 9012  
disbursement statement that is executed and transmitted by 9013  
electronic means by the person to whom the electronic signature is 9014  
attributed. The electronic signature that is attached to or 9015  
associated with the statement, addendum, or amended statement 9016  
under this division shall be binding on all persons and for all 9017  
purposes under the campaign finance reporting law as if the 9018  
signature had been handwritten in ink on a printed form. 9019

(I) The secretary of state shall make the contribution and 9020  
expenditure, the contribution and disbursement, the deposit and 9021  
disbursement, the gift and disbursement, or the donation and 9022  
disbursement information in all statements, all addenda to the 9023  
statements, and all amended statements that are filed with the 9024  
secretary of state by electronic or other means of transmission 9025  
under this section or section 3517.10, 3517.105, 3517.1011, 9026  
3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code 9027  
available online to the public by any means that are searchable, 9028  
viewable, and accessible through the internet. 9029

(J)(1) As used in this division, "library" means a library 9030  
that is open to the public and that is one of the following: 9031

(a) A library that is maintained and regulated under section 9032  
715.13 of the Revised Code; 9033

(b) A library that is created, maintained, and regulated 9034  
under Chapter 3375. of the Revised Code. 9035

(2) The secretary of state shall notify all libraries of the 9036

location on the internet at which the contribution and 9037  
expenditure, contribution and disbursement, deposit and 9038  
disbursement, gift and disbursement, or donation and disbursement 9039  
information in campaign finance statements required to be made 9040  
available online to the public through the internet pursuant to 9041  
division (I) of this section may be accessed. 9042

If that location is part of the world wide web and if the 9043  
secretary of state has notified a library of that world wide web 9044  
location as required by this division, the library shall include a 9045  
link to that world wide web location on each internet-connected 9046  
computer it maintains that is accessible to the public. 9047

(3) If the system the secretary of state prescribes for the 9048  
filing of campaign finance statements by electronic means of 9049  
transmission pursuant to division (H)(1) of this section and 9050  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 9051  
Code includes filing those statements through the internet via the 9052  
world wide web, the secretary of state shall notify all libraries 9053  
of the world wide web location at which those statements may be 9054  
filed. 9055

If those statements may be filed through the internet via the 9056  
world wide web and if the secretary of state has notified a 9057  
library of that world wide web location as required by this 9058  
division, the library shall include a link to that world wide web 9059  
location on each internet-connected computer it maintains that is 9060  
accessible to the public. 9061

(K) It is an affirmative defense to a complaint or charge 9062  
brought against any campaign committee, political action 9063  
committee, political contributing entity, legislative campaign 9064  
fund, or political party, any individual, partnership, or other 9065  
entity, any person making disbursements to pay the direct costs of 9066  
producing or airing electioneering communications, or any 9067  
treasurer of a transition fund, for the failure to file by 9068  
electronic means of transmission a campaign finance statement as 9069  
required by this section or section 3517.10, 3517.105, 3517.1011, 9070

3517.1012, 3517.1013, or 3517.1014 of the Revised Code that all of  
the following apply to the campaign committee, political action  
committee, political contributing entity, legislative campaign  
fund, or political party, the individual, partnership, or other  
entity, the person making disbursements to pay the direct costs of  
producing or airing electioneering communications, or the  
treasurer of a transition fund that failed to so file:

(1) The campaign committee, political action committee,  
political contributing entity, legislative campaign fund, or  
political party, the individual, partnership, or other entity, the  
person making disbursements to pay the direct costs of producing  
or airing electioneering communications, or the treasurer of a  
transition fund attempted to file by electronic means of  
transmission the required statement prior to the deadline set  
forth in the applicable section.

(2) The campaign committee, political action committee,  
political contributing entity, legislative campaign fund, or  
political party, the individual, partnership, or other entity, the  
person making disbursements to pay the direct costs of producing  
or airing electioneering communications, or the treasurer of a  
transition fund was unable to file by electronic means of  
transmission due to an expected or unexpected shutdown of the  
whole or part of the electronic campaign finance statement-filing  
system, such as for maintenance or because of hardware, software,  
or network connection failure.

(3) The campaign committee, political action committee,  
political contributing entity, legislative campaign fund, or  
political party, the individual, partnership, or other entity, the  
person making disbursements to pay the direct costs of producing  
or airing electioneering communications, or the treasurer of a  
transition fund filed by electronic means of transmission the  
required statement within a reasonable period of time after being  
unable to so file it under the circumstance described in division  
(K)(2) of this section.

(L)(1) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code to permit a campaign committee of a candidate for statewide office that makes expenditures of less than twenty-five thousand dollars during the filing period or a campaign committee for the office of member of the general assembly or the office of judge of a court of appeals that would otherwise be required to file campaign finance statements by electronic means of transmission under division (E) or (F) of this section to file those statements by paper with the office of the secretary of state. Those rules shall provide for all of the following:

(a) An eligible campaign committee that wishes to file a campaign finance statement by paper instead of by electronic means of transmission shall file the statement on paper with the office of the secretary of state not sooner than twenty-four hours after the end of the filing period set forth in section 3517.10 of the Revised Code that is covered by the applicable statement.

(b) The statement shall be accompanied by a fee, the amount of which the secretary of state shall determine by rule. The amount of the fee established under this division shall not exceed the data entry and data verification costs the secretary of state will incur to convert the information on the statement to an electronic format as required under division (I) of this section.

(c) The secretary of state shall arrange for the information in campaign finance statements filed pursuant to division (L) of this section to be made available online to the public through the internet in the same manner, and at the same times, as information is made available under divisions (E), (F), and (I) of this section for candidates whose campaign committees file those statements by electronic means of transmission.

(d) The candidate of an eligible campaign committee that intends to file a campaign finance statement pursuant to division (L) of this section shall file a notice indicating that the candidate's campaign committee intends to so file and stating that

filing the statement by electronic means of transmission would 9139  
constitute a hardship for the candidate or for the eligible 9140  
campaign committee. 9141

(e) An eligible campaign committee that files a campaign 9142  
finance statement on paper pursuant to division (L) of this 9143  
section shall review the contribution and information made 9144  
available online by the secretary of state with respect to that 9145  
paper filing and shall notify the secretary of state of any errors 9146  
with respect to that filing that appear in the data made available 9147  
on that web site. 9148

(f) If an eligible campaign committee whose candidate has 9149  
filed a notice in accordance with rules adopted under division 9150  
(L)(1)(d) of this section subsequently fails to file that 9151  
statement on paper by the applicable deadline established in rules 9152  
adopted under division (L)(1)(a) of this section, penalties for 9153  
the late filing of the campaign finance statement shall apply to 9154  
that campaign committee for each day after that paper filing 9155  
deadline, as if the campaign committee had filed the statement 9156  
after the applicable deadline set forth in division (A) of section 9157  
3517.10 of the Revised Code. 9158

(2) The process for permitting campaign committees that would 9159  
otherwise be required to file campaign finance statements by 9160  
electronic means of transmission to file those statements on paper 9161  
with the office of the secretary of state that is required to be 9162  
developed under division (L)(1) of this section shall be in effect 9163  
and available for use by eligible campaign committees for all 9164  
campaign finance statements that are required to be filed on or 9165  
after June 30, 2005. Notwithstanding any provision of the Revised 9166  
Code to the contrary, if the process the secretary of state is 9167  
required to develop under division (L)(1) of this section is not 9168  
in effect and available for use on and after June 30, 2005, all 9169  
penalties for the failure of campaign committees to file campaign 9170  
finance statements by electronic means of transmission shall be 9171  
suspended until such time as that process is in effect and 9172  
available for use. 9173

(3) Notwithstanding any provision of the Revised Code to the contrary, any eligible campaign committee that files campaign finance statements on paper with the office of the secretary of state pursuant to division (L)(1) of this section shall be deemed to have filed those campaign finance statements by electronic means of transmission to the office of the secretary of state.

**Sec. 3517.107.** (A) As used in this section, "federal political committee" means a political committee, as defined in the Federal Election Campaign Act, that is registered with the federal election commission under that act.

(B) Any federal political committee may make contributions, expenditures, or independent expenditures from its federal account in connection with any state or local election in Ohio. Prior to making any such contribution, expenditure, or independent expenditure, the federal political committee shall register with the secretary of state by filing a copy of its most recent federal statement of organization. A federal political committee registered with the secretary of state under this division shall file with the secretary of state any amendment to its statement of organization that is required under the Federal Election Campaign Act to be reported to the federal election commission.

(C) When, during any federal reporting period under the Federal Election Campaign Act, a federal political committee makes a contribution, expenditure, or independent expenditure from its federal account in connection with a state or local election in Ohio, the committee shall file with the secretary of state not later than the date on which its report is required to be filed with the appropriate federal office or officer under the Federal Election Campaign Act, copies of the following pages from that report:

(1) The summary page;

(2) The detailed summary page;



(3) The page or pages that contain an itemized list of the contributions, expenditures, and independent expenditures made in connection with state and local elections in Ohio.

The total amount of contributions, expenditures, and independent expenditures made in connection with state and local elections in Ohio shall be reflected on the summary page or on a form that the secretary of state shall prescribe.

(D) When, during any calendar year, a federal political committee makes a contribution from its federal account in connection with a state or local election in Ohio to a state or local political action committee that is required under section 3517.11 of the Revised Code to file any statement prescribed by section 3517.10 of the Revised Code, and the federal political committee and state or local political action committee are established, financed, maintained, or controlled by the same corporation, organization, continuing association, or other person, including any parent, subsidiary, division, department, or unit of that corporation, organization, continuing association, or other person, the federal political committee shall file a statement with the secretary of state not later than the last business day of January of the next calendar year. The statement shall be on a form prescribed by the secretary of state and shall include a list of the names and addresses of contributors that are residents of Ohio that made contributions to the federal political committee during the calendar year covered by the statement and, for each name listed, the aggregate total amount contributed by each contributor during the reporting period.

(E) The filing requirements of divisions (B) and (C) of this section shall not apply to the federal political committee of a member of, or a candidate to become a member of, the United States congress representing Ohio or any district in Ohio.

**Sec. 3517.1011.** (A) As used in this section:

(1) "Address" has the same meaning as in section 3517.10 of

the Revised Code.	9239
(2) "Broadcast, cable, or satellite communication" means a communication that is publicly distributed by a television station, radio station, cable television system, or satellite system.	9240 9241 9242 9243
(3) "Candidate" has the same meaning as in section 3501.01 of the Revised Code.	9244 9245
(4) "Contribution" means any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used to pay the direct costs of producing or airing electioneering communications.	9246 9247 9248 9249 9250 9251 9252 9253
(5)(a) "Coordinated electioneering communication" means any electioneering communication that is made pursuant to any arrangement, coordination, or direction by a candidate or a candidate's campaign committee, by an officer, agent, employee, or consultant of a candidate or a candidate's campaign committee, or by a former officer, former agent, former employee, or former consultant of a candidate or a candidate's campaign committee prior to the airing, broadcasting, or cablecasting of the communication. An electioneering communication is presumed to be a "coordinated electioneering communication" when it is either of the following:	9254 9255 9256 9257 9258 9259 9260 9261 9262 9263 9264
(i) Based on information about a candidate's plans, projects, or needs provided to the person making the disbursement by the candidate or the candidate's campaign committee, by an officer, agent, employee, or consultant of the candidate or the candidate's campaign committee, or by a former officer, former agent, former employee, or former consultant of the candidate or the candidate's campaign committee, with a view toward having the communication	9265 9266 9267 9268 9269 9270 9271

made;	9272
(ii) Made by or through any person who is, or has been,	9273
authorized to raise or expend funds on behalf of a candidate or	9274
the candidate's campaign committee, who is, or has been, an	9275
officer, agent, employee, or consultant of the candidate or of the	9276
candidate's campaign committee, or who is, or has been, receiving	9277
any form of compensation or reimbursement from the candidate or	9278
the candidate's campaign committee or from an officer, agent,	9279
employee, or consultant of the candidate or of the candidate's	9280
campaign committee.	9281
(b) An electioneering communication shall not be presumed to	9282
be a "coordinated electioneering communication" under division	9283
(A)(5)(a)(ii) of this section if the communication is made through	9284
any person who provides a service that does not affect the content	9285
of the communication, such as communications placed through the	9286
efforts of a media buyer, unless that person also affects the	9287
content of the communication.	9288
(6) "Disclosure date" means both of the following:	9289
(a) The first date during any calendar year by which a person	9290
makes disbursements for the direct costs of producing or airing	9291
electioneering communications aggregating in excess of ten	9292
thousand dollars;	9293
(b) The same day of the week of each remaining week in the	9294
same calendar year as the day of the week of the initial	9295
disclosure date established under division (A)(6)(a) of this	9296
section, if, during that remaining week, the person makes	9297
disbursements for the direct costs of producing or airing	9298
electioneering communications aggregating in excess of one dollar.	9299
(7)(a) "Electioneering communication" means any broadcast,	9300
cable, or satellite communication that refers to a clearly	9301
identified candidate and that is made during either of the	9302
following periods of time:	9303

(i) If the person becomes a candidate before the day of the primary election at which candidates will be nominated for election to that office, between the date that the person becomes a candidate and the thirtieth day prior to that primary election, and between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office;	9304 9305 9306 9307 9308 9309 9310
(ii) If the person becomes a candidate after the day of the primary election at which candidates were nominated for election to that office, between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office.	9311 9312 9313 9314 9315
(b) "Electioneering communication" does not include any of the following:	9316 9317
(i) A communication that is publicly disseminated through a means of communication other than a broadcast, cable, or satellite television or radio station. For example, "electioneering communication" does not include communications appearing in print media, including a newspaper or magazine, handbill, brochure, bumper sticker, yard sign, poster, billboard, and other written materials, including mailings; communications over the internet, including electronic mail; or telephone communications.	9318 9319 9320 9321 9322 9323 9324 9325
(ii) A communication that appears in a news story, commentary, public service announcement, bona fide news programming, or editorial distributed through the facilities of any broadcast, cable, or satellite television or radio station, unless those facilities are owned or controlled by any political party, political committee, or candidate;	9326 9327 9328 9329 9330 9331
(iii) A communication that constitutes an expenditure or an independent expenditure under section 3517.01 of the Revised Code;	9332 9333
(iv) A communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum.	9334 9335 9336

(8) "Filing date" has the same meaning as in section 3517.109 of the Revised Code.	9337 9338
(9) "Immigration and Nationality Act" means the Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., as amended.	9339 9340 9341
(10) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any political organization considered exempt from income taxation under section 527 of the Internal Revenue Code.	9342 9343 9344 9345
(11) "Political committee" means any of the following:	9346
(a) Any committee, club, association, or other group of persons that receives contributions aggregating in excess of one thousand dollars during a calendar year or that makes expenditures aggregating in excess of one thousand dollars during a calendar year;	9347 9348 9349 9350 9351
(b) Any separate segregated fund;	9352
(c) Any state, county, or local committee of a political party that does any of the following:	9353 9354
(i) Receives contributions aggregating in excess of five thousand dollars during a calendar year;	9355 9356
(ii) Makes payments that do not constitute contributions or expenditures aggregating in excess of five thousand dollars during a calendar year;	9357 9358 9359
(iii) Makes contributions or expenditures aggregating in excess of one thousand dollars during a calendar year.	9360 9361
(12) "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated for a fee.	9362 9363

(13) "Refers to a clearly identified candidate" means that  
the candidate's name, nickname, photograph, or drawing appears, or  
the identity of the candidate is otherwise apparent through an  
unambiguous reference to the person such as "the chief justice,"  
"the governor," "member of the Ohio senate," "member of the Ohio  
house of representatives," "county auditor," "mayor," or "township  
trustee" or through an unambiguous reference to the person's  
status as a candidate.

(B) For the purposes of this section, a person shall be  
considered to have made a disbursement if the person has entered  
into a contract to make the disbursement.

(C) Any person intending to make a disbursement or  
disbursements for the direct costs of producing or airing  
electioneering communications, prior to making the first  
disbursement for the direct costs of producing or airing an  
electioneering communication, shall file a notice with the office  
of the secretary of state that the person is intending to make  
such disbursements.

(D)(1) Every person that makes a disbursement or  
disbursements for the direct costs of producing and airing  
electioneering communications aggregating in excess of ten  
thousand dollars during any calendar year shall file, within  
twenty-four hours of each disclosure date, a disclosure of  
electioneering communications statement containing the following  
information:

(a) The full name and address of the person making the  
disbursement, of any person sharing or exercising direction or  
control over the activities of the person making the disbursement,  
and of the custodian of the books and accounts of the person  
making the disbursement;

(b) The principal place of business of the person making the  
disbursement, if not an individual;

(c) The amount of each disbursement of more than one dollar

during the period covered by the statement and the identity of the person to whom the disbursement was made;

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(d) The nominations or elections to which the electioneering communications pertain and the names, if known, of the candidates identified or to be identified;

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(e) If the disbursements were paid out of a segregated bank account that consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act directly to the account for electioneering communications, the information specified in division (D)(2) of this section for all contributors who contributed an aggregate amount of two hundred dollars or more to the segregated bank account and whose contributions were used for making the disbursement or disbursements required to be reported under division (D) of this section during the period covered by the statement. Nothing in this division prohibits or shall be construed to prohibit the use of funds in such a segregated bank account for a purpose other than electioneering communications.

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(f) If the disbursements were paid out of funds not described in division (D)(1)(e) of this section, the information specified in division (D)(2) of this section for all contributors who contributed an aggregate amount of two hundred dollars or more to the person making the disbursement and whose contributions were used for making the disbursement or disbursements required to be reported under division (D) of this section during the period covered by the statement.

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(2) For each contributor for which information is required to be reported under division (D)(1)(e) or (f) of this section, all of the following shall be reported:

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(a) The month, day, and year that the contributor made the contribution or contributions aggregating two hundred dollars or more;

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(b)(i) The full name and address of the contributor, and, if the contributor is a political action committee, the registration number assigned to the political action committee under division (D)(1) of section 3517.10 of the Revised Code;	9430 9431 9432 9433
(ii) If the contributor is an individual, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;	9434 9435 9436 9437
(iii) If the contribution is transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of two or more employees that exceed in the aggregate one hundred dollars during the period specified in division (D)(1)(e) or (f) of this section, as applicable, the full name of the employees' employer and the full name of the labor organization of which the employees are members, if any.	9438 9439 9440 9441 9442 9443 9444
(c) A description of the contribution, if other than money;	9445
(d) The value in dollars and cents of the contribution.	9446
(3) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of section 3517.10 and division (H)(1) of section 3517.106 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a person shall file the disclosure of electioneering communications statement prescribed under divisions (D)(1) and (2) of this section by electronic means of transmission to the office of the secretary of state.	9447 9448 9449 9450 9451 9452 9453 9454 9455
Within five business days after the secretary of state receives a disclosure of electioneering communications statement under this division, the secretary of state shall make available online to the public through the internet, as provided in division (I) of section 3517.106 of the Revised Code, the contribution and disbursement information in that statement.	9456 9457 9458 9459 9460 9461



If a filed disclosure of electioneering communications statement is found to be incomplete or inaccurate after its examination for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the person shall file by electronic means of transmission to the office of the secretary of state any addendum, amendment, or other correction to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives an addendum, amendment, or other correction to a disclosure of electioneering communications statement or an amended statement by electronic means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and disbursement information in the addendum, amendment, or other correction to the statement or amended statement available online to the public through the internet as provided in division (I) of section 3517.106 of the Revised Code.

(E)(1) Any person who makes a contribution for the purpose of funding the direct costs of producing or airing an electioneering communication under this section shall provide the person's full name and address to the recipient of the contribution at the time the contribution is made.

(2) Any individual who makes a contribution or contributions aggregating two hundred dollars or more for the purpose of funding the direct costs of producing or airing an electioneering communication under this section shall provide the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any, to the recipient of the contribution at the time the contribution is made.

(F) In each electioneering communication, a statement shall appear or be presented in a clear and conspicuous manner that does

both of the following:	9496
(1) Clearly indicates that the electioneering communication is not authorized by the candidate or the candidate's campaign committee;	9497 9498 9499
(2) Clearly identifies the person making the disbursement for the electioneering communication in accordance with section 3517.20 of the Revised Code.	9500 9501 9502
(G) Any coordinated electioneering communication is an in-kind contribution, subject to the applicable contribution limits prescribed in section 3517.102 of the Revised Code, to the candidate by the person making disbursements to pay the direct costs of producing or airing the communication.	9503 9504 9505 9506 9507
<del>(H) No person shall make, during the thirty days preceding a primary election or during the thirty days preceding a general election, any broadcast, cable, or satellite communication that refers to a clearly identified candidate using any contributions received from a corporation or labor organization.</del>	9508 9509 9510 9511 9512
<b>Sec. 3517.11.</b> (A)(1) Campaign committees of candidates for statewide office or the state board of education, political action committees or political contributing entities that make contributions to campaign committees of candidates that are required to file the statements prescribed by section 3517.10 of the Revised Code with the secretary of state, political action committees or political contributing entities that make contributions to campaign committees of candidates for member of the general assembly, political action committees or political contributing entities that make contributions to state and national political parties and to legislative campaign funds, political action committees or political contributing entities that receive contributions or make expenditures in connection with a statewide ballot issue, political action committees or political contributing entities that make contributions to other political action committees or political contributing entities, political parties, and campaign committees, except as set forth in division	9513 9514 9515 9516 9517 9518 9519 9520 9521 9522 9523 9524 9525 9526 9527 9528 9529

(A)(3) of this section, legislative campaign funds, and state and national political parties shall file the statements prescribed by section 3517.10 of the Revised Code with the secretary of state.

(2)(a) Except as otherwise provided in division (F) of section 3517.106 of the Revised Code, campaign committees of candidates for all other offices shall file the statements prescribed by section 3517.10 of the Revised Code with the board of elections where their candidates are required to file their petitions or other papers for nomination or election.

(b) A campaign committee of a candidate for office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals shall file two copies of the printed version of any statement, addendum, or amended statement if the committee does not file pursuant to division (F)(1) or (L) of section 3517.106 of the Revised Code but files by printed version only with the appropriate board of elections. The board of elections shall send one of those copies by ~~certified~~ mail or an electronic copy to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

(3) Political action committees or political contributing entities that only contribute to a county political party, contribute to campaign committees of candidates whose nomination or election is to be submitted only to electors within a county, subdivision, or district, excluding candidates for member of the general assembly, and receive contributions or make expenditures in connection with ballot questions or issues to be submitted only to electors within a county, subdivision, or district shall file the statements prescribed by section 3517.10 of the Revised Code with the board of elections in that county or in the county contained in whole or part within the subdivision or district having a population greater than that of any other county contained in whole or part within that subdivision or district, as the case may be.

(4) Except as otherwise provided in division (E)(3) of section 3517.106 of the Revised Code with respect to state candidate funds, county political parties shall file the statements prescribed by section 3517.10 of the Revised Code with the board of elections of their respective counties.

(B)(1) The official with whom petitions and other papers for nomination or election to public office are filed shall furnish each candidate at the time of that filing a copy of sections 3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 3599.031 of the Revised Code and any other materials that the secretary of state may require. Each candidate receiving the materials shall acknowledge their receipt in writing.

(2) On or before the tenth day before the dates on which statements are required to be filed by section 3517.10 of the Revised Code, every candidate subject to the provisions of this section and sections 3517.10 and 3517.106 of the Revised Code shall be notified of the requirements and applicable penalties of those sections. The secretary of state, by certified mail, return receipt requested, shall notify all candidates required to file those statements with the secretary of state's office. The board of elections of every county shall notify by first class mail any candidate who has personally appeared at the office of the board on or before the tenth day before the statements are required to be filed and signed a form, to be provided by the secretary of state, attesting that the candidate has been notified of the candidate's obligations under the campaign finance law. The board shall forward the completed form to the secretary of state. The board shall use certified mail, return receipt requested, to notify all other candidates required to file those statements with it.

(3)(a) Any statement required to be filed under sections 3517.081 to 3517.17 of the Revised Code that is found to be incomplete or inaccurate by the officer to whom it is submitted shall be accepted on a conditional basis, and the person who filed it shall be notified by certified mail as to the incomplete or

inaccurate nature of the statement. The secretary of state may  
examine statements filed for candidates for the office of member  
of the general assembly and candidates for the office of judge of  
a court of appeals for completeness and accuracy. The secretary of  
state shall examine for completeness and accuracy statements that  
campaign committees of candidates for the office of member of the  
general assembly and campaign committees of candidates for the  
office of judge of a court of appeals file pursuant to division  
(F) or (L) of section 3517.106 of the Revised Code. If an officer  
at the board of elections where a statement filed for a candidate  
for the office of member of the general assembly or for a  
candidate for the office of judge of a court of appeals was  
submitted finds the statement to be incomplete or inaccurate, the  
officer shall immediately notify the secretary of state of its  
incomplete or inaccurate nature. If either an officer at the board  
of elections or the secretary of state finds a statement filed for  
a candidate for the office of member of the general assembly or  
for a candidate for the office of judge of a court of appeals to  
be incomplete or inaccurate, only the secretary of state shall  
send the notification as to the incomplete or inaccurate nature of  
the statement.

Within twenty-one days after receipt of the notice, in the  
case of a pre-election statement, a postelection statement, a  
monthly statement, an annual statement, or a semiannual statement  
prescribed by section 3517.10, an annual statement prescribed by  
section 3517.101, or a statement prescribed by division (B)(2)(b)  
or (C)(2)(b) of section 3517.105 or section 3517.107 of the  
Revised Code, the recipient shall file an addendum, amendment, or  
other correction to the statement providing the information  
necessary to complete or correct the statement. The secretary of  
state may require that, in lieu of filing an addendum, amendment,  
or other correction to a statement that is filed by electronic  
means of transmission to the office of the secretary of state  
pursuant to section 3517.106 of the Revised Code, the recipient of  
the notice described in this division file by electronic means of  
transmission an amended statement that incorporates the  
information necessary to complete or correct the statement.

The secretary of state shall determine by rule when an addendum, amendment, or other correction to any of the following or when an amended statement of any of the following shall be filed:	9636 9637 9638 9639
(i) A two-business-day statement prescribed by section 3517.10 of the Revised Code;	9640 9641
(ii) A disclosure of electioneering communications statement prescribed by division (D) of section 3517.1011 of the Revised Code;	9642 9643 9644
(iii) A deposit and disbursement statement prescribed under division (B) of section 3517.1012 of the Revised Code;	9645 9646
(iv) A gift and disbursement statement prescribed under section 3517.1013 of the Revised Code;	9647 9648
(v) A donation and disbursement statement prescribed under section 3517.1014 of the Revised Code.	9649 9650
An addendum, amendment, or other correction to a statement that is filed by electronic means of transmission pursuant to section 3517.106 of the Revised Code shall be filed in the same manner as the statement.	9651 9652 9653 9654
The provisions of sections 3517.10, 3517.106, 3517.1011, 3517.1012, 3517.1013, and 3517.1014 of the Revised Code pertaining to the filing of statements of contributions and expenditures, statements of independent expenditures, disclosure of electioneering communications statements, deposit and disbursement statements, gift and disbursement statements, and donation and disbursement statements by electronic means of transmission apply to the filing of addenda, amendments, or other corrections to those statements by electronic means of transmission and the filing of amended statements by electronic means of transmission.	9655 9656 9657 9658 9659 9660 9661 9662 9663 9664
(b) Within five business days after the secretary of state	9665

receives, by electronic or other means of transmission, an 9666  
addendum, amendment, or other correction to a statement or an 9667  
amended statement under division (B)(3)(a) of this section, the 9668  
secretary of state, pursuant to divisions (E), (F), (G), and (I) 9669  
of section 3517.106 or division (D) of section 3517.1011 of the 9670  
Revised Code, shall make the contribution and expenditure, 9671  
contribution and disbursement, deposit and disbursement, gift and 9672  
disbursement, or donation and disbursement information in that 9673  
addendum, amendment, correction, or amended statement available 9674  
online to the public through the internet. 9675

(4)(a) The secretary of state or the board of elections shall 9676  
examine all statements for compliance with sections 3517.08 to 9677  
3517.17 of the Revised Code. 9678

(b) The secretary of state may contract with an individual or 9679  
entity not associated with the secretary of state and experienced 9680  
in interpreting the campaign finance law of this state to conduct 9681  
examinations of statements filed by any statewide candidate, as 9682  
defined in section 3517.103 of the Revised Code. 9683

(c) The examination shall be conducted by a person or entity 9684  
qualified to conduct it. The results of the examination shall be 9685  
available to the public, and, when the examination is conducted by 9686  
an individual or entity not associated with the secretary of 9687  
state, the results of the examination shall be reported to the 9688  
secretary of state. 9689

(C)(1) In the event of a failure to file or a late filing of 9690  
a statement required to be filed under sections 3517.081 to 9691  
3517.17 of the Revised Code, or if a filed statement or any 9692  
addendum, amendment, or other correction to a statement or any 9693  
amended statement, if an addendum, amendment, or other correction 9694  
or an amended statement is required to be filed, is incomplete or 9695  
inaccurate or appears to disclose a failure to comply with or a 9696  
violation of law, the official whose duty it is to examine the 9697  
statement shall promptly file a complaint with the Ohio elections 9698  
commission under section 3517.153 of the Revised Code if the law 9699

is one over which the commission has jurisdiction to hear 9700  
complaints, or the official shall promptly report the failure or 9701  
violation to the board of elections and the board shall promptly 9702  
report it to the prosecuting attorney in accordance with division 9703  
(J) of section 3501.11 of the Revised Code. If the official files 9704  
a complaint with the commission, the commission shall proceed in 9705  
accordance with sections 3517.154 to 3517.157 of the Revised Code. 9706

(2) For purposes of division (C)(1) of this section, a 9707  
statement or an addendum, amendment, or other correction to a 9708  
statement or an amended statement required to be filed under 9709  
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 9710  
inaccurate under this section if the statement, addendum, 9711  
amendment, other correction, or amended statement fails to 9712  
disclose substantially all contributions, gifts, or donations that 9713  
are received or deposits that are made that are required to be 9714  
reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 9715  
3517.1012, 3517.1013, and 3517.1014 of the Revised Code or if the 9716  
statement, addendum, amendment, other correction, or amended 9717  
statement fails to disclose at least ninety per cent of the total 9718  
contributions, gifts, or donations received or deposits made or of 9719  
the total expenditures or disbursements made during the reporting 9720  
period. 9721

(D) No certificate of nomination or election shall be issued 9722  
to a person, and no person elected to an office shall enter upon 9723  
the performance of the duties of that office, until that person or 9724  
that person's campaign committee, as appropriate, has fully 9725  
complied with this section and sections 3517.08, 3517.081, 9726  
3517.10, and 3517.13 of the Revised Code. 9727

**Sec. 3517.153.** (A) Upon the filing of a complaint with the 9728  
Ohio elections commission, which shall be made by affidavit of any 9729  
person, on personal knowledge, and subject to the penalties for 9730  
perjury, or upon the filing of a complaint made by the secretary 9731  
of state or an official at the board of elections, setting forth a 9732  
failure to comply with or a violation of any provision in sections 9733  
3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, 9734



or 3599.031 of the Revised Code, the commission shall proceed in  
accordance with sections 3517.154 to 3517.157 of the Revised Code.

(B) The commission shall prescribe the form for complaints  
made under division (A) of this section. The secretary of state  
and boards of elections shall furnish the information that the  
commission requests. The commission or a member of the commission  
may administer oaths, and the commission may issue subpoenas to  
any person in the state compelling the attendance of witnesses and  
the production of relevant papers, books, accounts, and reports.  
Section 101.42 of the Revised Code governs the issuance of  
subpoenas insofar as applicable. Upon the refusal of any person to  
obey a subpoena or to be sworn or to answer as a witness, the  
commission may apply to the court of common pleas of Franklin  
county under section 2705.03 of the Revised Code. The court shall  
hold proceedings in accordance with Chapter 2705. of the Revised  
Code.

(C) No prosecution shall commence for a violation of a  
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18,  
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code  
unless a complaint has been filed with the commission under this  
section and all proceedings of the commission or a panel of the  
commission, as appropriate, under sections 3517.154 to 3517.157 of  
the Revised Code are completed.

(D) The commission may recommend legislation and render  
advisory opinions concerning sections 3517.08, 3517.082, 3517.092,  
3517.102, ~~3517.103~~, 3517.105, 3517.1014, 3517.13, 3517.18, 3517.20  
to 3517.22, 3599.03, and 3599.031 of the Revised Code for persons  
over whose acts it has or may have jurisdiction. When the  
commission renders an advisory opinion relating to a specific set  
of circumstances involving any of those sections stating that  
there is no violation of a provision in those sections, the person  
to whom the opinion is directed or a person who is similarly  
situated may reasonably rely on the opinion and is immune from  
criminal prosecution and a civil action, including, without  
limitation, a civil action for removal from public office or

employment, based on facts and circumstances covered by the  
opinion.

(E) The commission shall establish a web site on which it  
shall post, at a minimum, all decisions and advisory opinions  
issued by the commission and copies of each election law as it is  
amended by the general assembly. The commission shall update the  
web site regularly to reflect any changes to those decisions and  
advisory opinions and any new decisions and advisory opinions.

**Sec. 3517.154.** (A)(1) The full-time attorney for the Ohio  
elections commission shall review each complaint filed with the  
commission under section 3517.153 of the Revised Code, shall  
determine the nature of the complaint, and, unless division  
(A)(2)(a) of this section requires that the complaint receive an  
automatic expedited hearing, shall make a recommendation to the  
commission for its disposition, in accordance with this section.  
The attorney shall make the determination and the recommendation,  
if required, not later than one business day after the complaint  
is filed.

(2)(a) If the attorney determines that the complaint sets  
forth a violation of division (B) of section 3517.21 or division  
(B) of section 3517.22 of the Revised Code and that the complaint  
is filed during one of the periods of time specified in division  
(B)(1) of section 3517.156 of the Revised Code, ~~or that the  
complaint sets forth a violation of section 3517.103 of the  
Revised Code or a violation described in division (D) of section  
3517.1010 of the Revised Code,~~ the complaint shall receive an  
automatic expedited hearing under section 3517.156 of the Revised  
Code.

(b) If the attorney determines that the complaint sets forth  
a failure to comply with or a violation of division (G), (I), (J),  
(O), (P), or (Q) of section 3517.13, division (A) of section  
3517.21, or division (A) of section 3517.22 of the Revised Code  
and that the complaint is filed during one of the periods of time  
specified in division (B)(1) of section 3517.156 of the Revised

Code, the attorney shall recommend to the commission that the  
complaint receive an expedited hearing under section 3517.156 of  
the Revised Code, and the complaint shall receive such a hearing.

(c) If the attorney determines that the complaint sets forth  
a failure to comply with or a violation of a section of the  
Revised Code over which the commission has jurisdiction to hear  
complaints other than the sections described in divisions  
(A)(2)(a) and (b) of this section, and unless the attorney makes a  
determination as provided for in division (A)(3) of this section,  
the attorney shall recommend to the commission that the complaint  
be submitted to the commission under section 3517.155 of the  
Revised Code. After the attorney makes that recommendation, the  
attorney shall notify all parties to the complaint of the  
attorney's recommendation.

(3)(a) If a complaint sets forth a failure to comply with or  
a violation of a section of the Revised Code over which the  
commission has jurisdiction to hear complaints other than the  
sections described in divisions (A)(2)(a) and (b) of this section  
and if the complaint is filed during one of the periods of time  
specified in division (B)(1) of section 3517.156 of the Revised  
Code, the attorney may determine that the complaint should receive  
an expedited hearing under that section. The attorney shall make  
that determination by considering one or more of the following:

(i) The number of prior failures to comply with or violations  
of Title XXXV of the Revised Code that the person or entity  
against whom the complaint has been brought has committed and any  
prior penalties the commission has imposed on the person or  
entity;

(ii) If the complaint involves a statement required to be  
filed under section 3517.10, division (E) of section 3517.102, or  
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109,  
3517.1011, 3517.1012, or 3517.1014 of the Revised Code or an  
addendum required to be filed under section 3517.11 of the Revised  
Code that is filed late, how late the filing is and how much time

has elapsed between the deadline for filing the statement or  
addendum and the filing of the complaint;

(iii) If the complaint involves contributions and  
expenditures, contributions and disbursements, deposits and  
disbursements, gifts and disbursements, or donations and  
disbursements required to be reported under section 3517.10,  
division (E) of section 3517.102, or section 3517.105, 3517.107,  
3517.108, 3517.109, 3517.1011, 3517.1012, 3517.1013, or 3517.1014  
of the Revised Code that are either not reported or reported late,  
the number of contributions and expenditures, contributions and  
disbursements, deposits and disbursements, gifts and  
disbursements, or donations and disbursements not reported or how  
late they were reported;

(iv) If the complaint involves contributions required to be  
reported by a campaign committee under section 3517.10, division  
(E) of section 3517.102, or section 3517.105, 3517.107, 3517.108,  
or 3517.109 of the Revised Code that are not reported, whether any  
of the contributors of the contributions not reported have a  
personal or professional relationship with the campaign  
committee's candidate;

(v) If the complaint involves a statement required to be  
filed under section 3517.10, division (E) of section 3517.102, or  
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109,  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code  
that is incomplete, the degree to which it is incomplete;

(vi) If the complaint involves the receipt of contributions  
in violation of section 3599.03 of the Revised Code, the dollar  
amount and number of contributions received in violation of that  
section;

(vii) If the complaint involves a failure to make the  
identification or a misstatement of the identification required  
under section 3517.105 or 3517.20 of the Revised Code, whether the  
failure or misstatement was purposely made;

(viii) If the complaint sets forth a failure to comply with  
or a violation of a section of the Revised Code described in  
division (A)(2)(c) of this section, whether the person or entity  
against whom the complaint has been made has committed more than  
one such failure or violation within a reasonable amount of time,  
or whether the cumulative nature of the failures or violations  
indicates a systematic disregard for the law.

(b) Prior to making a determination under division (A)(3)(a)  
of this section that the complaint should receive an expedited  
hearing under section 3517.156 of the Revised Code, the attorney  
shall take into consideration the number of panels of the  
commission that have cases pending before them and the number of  
cases pending before the panels and shall not make a determination  
that will place an undue burden on a panel of the commission.

(c) If the attorney determines that the complaint should  
receive an expedited hearing under section 3517.156 of the Revised  
Code, the attorney shall recommend to the commission that the  
complaint receive an expedited hearing, and, if a majority of the  
members of the commission agrees with the recommendation, the  
complaint shall receive an expedited hearing under that section.

(4) The attorney may join two or more complaints if the  
attorney determines that the allegations in each complaint are of  
the same or similar character, are based on the same act or  
failure to act, or are based on two or more acts or failures to  
act constituting parts of a common scheme or plan. If one  
complaint contains two or more allegations, the attorney may  
separate the allegations if they are not of the same or similar  
character, if they are not based on the same act or failure to  
act, or if they are not based on two or more acts or failures to  
act constituting parts of a common scheme or plan. If the attorney  
separates the allegations in a complaint, the attorney may make  
separate recommendations under division (A)(2) or (3) of this  
section for each allegation.

(B) Whenever a person or other entity files a complaint with

the commission setting forth a failure to comply with or a violation of a section of the Revised Code as described in division (A)(2)(c) of this section and the complaint is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, the person or entity may request an expedited hearing under that section at the time the complaint is filed. The attorney for the commission shall inform the members of the commission of that request at the time the attorney makes a recommendation under division (A) of this section. The commission may grant the request for an expedited hearing under this division if it determines that an expedited hearing is practicable.

**Sec. 3517.155.** (A)(1) Except as otherwise provided in division (B) of this section, the Ohio elections commission shall hold its first hearing on a complaint filed with it, other than a complaint that receives an expedited hearing under section 3517.156 of the Revised Code, not later than ninety business days after the complaint is filed unless the commission has good cause to hold the hearing after that time, in which case it shall hold the hearing not later than one hundred eighty business days after the complaint is filed. At the hearing, the commission shall determine whether or not the failure to act or the violation alleged in the complaint has occurred and shall do only one of the following, except as otherwise provided in division (B) of this section or in division (B) of section 3517.151 of the Revised Code:

(a) Enter a finding that good cause has been shown not to impose a fine or not to refer the matter to the appropriate prosecutor;

(b) Impose a fine under section 3517.993 of the Revised Code;

(c) Refer the matter to the appropriate prosecutor;

~~(d) Direct the secretary of state or appropriate board of elections with the authority to certify a candidate to the ballot to remove a candidate's name from the ballot if the candidate is~~

~~barred from the ballot under division (D) of section 3517.1010 of~~ 9939  
~~the Revised Code.~~ 9940

(2) As used in division (A) of this section, "appropriate 9941  
prosecutor" means a prosecutor as defined in section 2935.01 of 9942  
the Revised Code and either of the following: 9943

(a) In the case of a failure to comply with or a violation of 9944  
law involving a campaign committee or the committee's candidate, a 9945  
political party, a legislative campaign fund, a political action 9946  
committee, or a political contributing entity, that is required to 9947  
file a statement of contributions and expenditures with the 9948  
secretary of state under division (A) of section 3517.11 of the 9949  
Revised Code, the prosecutor of Franklin county; 9950

(b) In the case of a failure to comply with or a violation of 9951  
law involving any other campaign committee or committee's 9952  
candidate, or any other political party, political action 9953  
committee, or political contributing entity either of the 9954  
following as determined by the commission: 9955

(i) The prosecutor of Franklin county; 9956

(ii) The prosecutor of the county in which the candidacy or 9957  
ballot question or issue is submitted to the electors or, if it is 9958  
submitted in more than one county, the most populous of those 9959  
counties. 9960

(B) If the commission decides that the evidence is 9961  
insufficient for it to determine whether or not the failure to act 9962  
or the violation alleged in the complaint has occurred, the 9963  
commission, by the affirmative vote of five members, may request 9964  
that an investigatory attorney investigate the complaint. Upon 9965  
that request, an investigatory attorney shall make an 9966  
investigation in order to produce sufficient evidence for the 9967  
commission to decide the matter. If the commission requests an 9968  
investigation under this division, for good cause shown by the 9969  
investigatory attorney, the commission may extend by sixty days 9970  
the deadline for holding its first hearing on the complaint as 9971

required in division (A) of this section. 9972

(C) The commission shall take one of the actions required 9973  
under division (A) of this section not later than thirty days 9974  
after the close of all the evidence presented. 9975

(D)(1) The commission shall make any finding of a failure to 9976  
comply with or a violation of law in regard to a complaint that 9977  
alleges a violation of ~~division (D) of section 3517.1010~~, division 9978  
(A) or (B) of section 3517.21, or division (A) or (B) of section 9979  
3517.22 of the Revised Code by clear and convincing evidence. The 9980  
commission shall make any finding of a failure to comply with or a 9981  
violation of law in regard to any other complaint by a 9982  
preponderance of the evidence. 9983

(2) If the commission finds a violation of division (B) of 9984  
section 3517.21 or division (B) of section 3517.22 of the Revised 9985  
Code, it shall refer the matter to the appropriate prosecutor 9986  
under division (A)(1)(c) of this section and shall not impose a 9987  
fine under division (A)(1)(b) of this section or section 3517.993 9988  
of the Revised Code. 9989

(E) In an action before the commission or a panel of the 9990  
commission, if the allegations of the complainant are not proved, 9991  
and the commission takes the action described in division 9992  
(A)(1)(a) of this section or a panel of the commission takes the 9993  
action described in division (C)(1) of section 3517.156 of the 9994  
Revised Code, the commission or a panel of the commission may find 9995  
that the complaint is frivolous, and, if the commission or panel 9996  
so finds, the commission shall order the complainant to pay 9997  
reasonable attorney's fees and to pay the costs of the commission 9998  
or panel as determined by a majority of the members of the 9999  
commission. The costs paid to the commission or panel under this 10000  
division shall be deposited into the Ohio elections commission 10001  
fund. 10002

**Sec. 3517.211.** (A) No elected official of a county, township, 10003  
municipal corporation, board of education, governing board of an 10004  
educational service center, or other local political subdivision 10005



shall, during the ninety days before that elected official's name appears on the ballot at an election, produce or disseminate any mass mailing or any form of advertising mailed from the official's office or advertised in a periodical, on radio, internet, on television, or through another similar medium that includes the name or photograph of the elected official. A document or any form of advertising produced or disseminated during the ninety-day restricted period may include the name of the office the official holds, but shall not include the name or photograph of the official.

(B) No violation of division (A) of this section occurs, and no fine shall be imposed under section 3517.992 of the Revised Code, if an elected official who is subject to the provisions of division (A) of this section sends out daily and regular office correspondence from the official's actual office or associated with the duties of that public office, and not including any other board or commission that the elected official serves on, in the ordinary course of business that is issued on a regular schedule throughout each year and directly necessary for the conduct of business by the office, such as tax bills, and that normal correspondence is sent during the ninety days before the date of any election at which the elected official's name will appear on the ballot.

**Sec. 3517.992.** This section establishes penalties only with respect to acts or failures to act that occur on and after August 24, 1995.

(A)(1) A candidate whose campaign committee violates division (A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, or a treasurer of a campaign committee who violates any of those divisions, shall be fined not more than one hundred dollars for each day of violation.

(2) Whoever violates division (E) or (X)(5) of section 3517.13 or division (E)(1) of section 3517.1014 of the Revised Code shall be fined not more than one hundred dollars for each day

of violation. 10040

(B) A political party that violates division (F)(1) of 10041  
section 3517.101 of the Revised Code shall be fined not more than 10042  
one hundred dollars for each day of violation. 10043

(C) Whoever violates division (F)(2) of section 3517.101, 10044  
division (G) of section 3517.13, or division (E)(2) or (3) of 10045  
section 3517.1014 of the Revised Code shall be fined not more than 10046  
ten thousand dollars or, if the offender is a person who was 10047  
nominated or elected to public office, shall forfeit the 10048  
nomination or the office to which the offender was elected, or 10049  
both. 10050

(D) Whoever violates division (F) of section 3517.13 of the 10051  
Revised Code shall be fined not more than three times the amount 10052  
contributed. 10053

(E) Whoever violates division (H) of section 3517.13 of the 10054  
Revised Code shall be fined not more than one hundred dollars. 10055

(F) Whoever violates division (O), (P), or (Q) of section 10056  
3517.13 of the Revised Code is guilty of a misdemeanor of the 10057  
first degree. 10058

(G) A state or county committee of a political party that 10059  
violates division (B)(1) of section 3517.18 of the Revised Code 10060  
shall be fined not more than twice the amount of the improper 10061  
expenditure. 10062

(H) A state or county political party that violates division 10063  
(G) of section 3517.101 of the Revised Code shall be fined not 10064  
more than twice the amount of the improper expenditure or use. 10065

(I)(1) Any individual who violates division (B)(1) of section 10066  
3517.102 of the Revised Code and knows that the contribution the 10067  
individual makes violates that division shall be fined an amount 10068  
equal to three times the amount contributed in excess of the 10069  
amount permitted by that division. 10070

(2) Any political action committee that violates division	10071
(B)(2) of section 3517.102 of the Revised Code shall be fined an	10072
amount equal to three times the amount contributed in excess of	10073
the amount permitted by that division.	10074
(3) Any campaign committee that violates division (B)(3) or	10075
(5) of section 3517.102 of the Revised Code shall be fined an	10076
amount equal to three times the amount contributed in excess of	10077
the amount permitted by that division.	10078
(4)(a) Any legislative campaign fund that violates division	10079
(B)(6) of section 3517.102 of the Revised Code shall be fined an	10080
amount equal to three times the amount transferred or contributed	10081
in excess of the amount permitted by that division, as applicable.	10082
(b) Any state political party, county political party, or	10083
state candidate fund of a state political party or county	10084
political party that violates division (B)(6) of section 3517.102	10085
of the Revised Code shall be fined an amount equal to three times	10086
the amount transferred or contributed in excess of the amount	10087
permitted by that division, as applicable.	10088
(c) Any political contributing entity that violates division	10089
(B)(7) of section 3517.102 of the Revised Code shall be fined an	10090
amount equal to three times the amount contributed in excess of	10091
the amount permitted by that division.	10092
(5) Any political party that violates division (B)(4) of	10093
section 3517.102 of the Revised Code shall be fined an amount	10094
equal to three times the amount contributed in excess of the	10095
amount permitted by that division.	10096
(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5)	10097
of this section, no violation of division (B) of section 3517.102	10098
of the Revised Code occurs, and the secretary of state shall not	10099
refer parties to the Ohio elections commission, if the amount	10100
transferred or contributed in excess of the amount permitted by	10101
that division meets either of the following conditions:	10102

(a) It is completely refunded within five business days after it is accepted.	10103 10104
(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.	10105 10106 10107 10108 10109
(J)(1) Any campaign committee that violates division (C)(1), (2), (3), or (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	10110 10111 10112 10113
(2)(a) Any county political party that violates division (C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted.	10114 10115 10116
(b) Any county political party that violates division (C)(4)(a)(i) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	10117 10118 10119 10120 10121
(c) Any state political party that violates division (C)(4)(b) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	10122 10123 10124 10125 10126
(3) Any legislative campaign fund that violates division (C)(5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	10127 10128 10129 10130
(4) Any political action committee or political contributing entity that violates division (C)(7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the	10131 10132 10133

amount accepted in excess of the amount permitted by that division. 10134  
10135

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of this section, no violation of division (C) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted to be accepted by that division meets either of the following conditions: 10136  
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(a) It is completely refunded within five business days after its acceptance. 10143  
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(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received. 10145  
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(K)(1) Any legislative campaign fund that violates division (F)(1) of section 3517.102 of the Revised Code shall be fined twenty-five dollars for each day of violation. 10150  
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10152

(2) Any legislative campaign fund that violates division (F)(2) of section 3517.102 of the Revised Code shall give to the treasurer of state for deposit into the state treasury to the credit of the Ohio elections commission fund all excess contributions not disposed of as required by division (E) of section 3517.102 of the Revised Code. 10153  
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(L) Whoever violates section 3517.105 of the Revised Code shall be fined one thousand dollars. 10159  
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(M)(1) Whoever solicits a contribution in violation of section 3517.092 or violates division (B) of section 3517.09 of the Revised Code is guilty of a misdemeanor of the first degree. 10161  
10162  
10163

(2) Whoever knowingly accepts a contribution in violation of 10164

division (B) or (C) of section 3517.092 of the Revised Code shall 10165  
be fined an amount equal to three times the amount accepted in 10166  
violation of either of those divisions and shall return to the 10167  
contributor any amount so accepted. Whoever unknowingly accepts a 10168  
contribution in violation of division (B) or (C) of section 10169  
3517.092 of the Revised Code shall return to the contributor any 10170  
amount so accepted. 10171

(N) Whoever violates division (S) of section 3517.13 of the 10172  
Revised Code shall be fined an amount equal to three times the 10173  
amount of funds transferred or three times the value of the assets 10174  
transferred in violation of that division. 10175

(O) Any campaign committee that accepts a contribution or 10176  
contributions in violation of section 3517.108 of the Revised 10177  
Code, uses a contribution in violation of that section, or fails 10178  
to dispose of excess contributions in violation of that section 10179  
shall be fined an amount equal to three times the amount accepted, 10180  
used, or kept in violation of that section. 10181

(P) Any political party, state candidate fund, legislative 10182  
candidate fund, or campaign committee that violates division (T) 10183  
of section 3517.13 of the Revised Code shall be fined an amount 10184  
equal to three times the amount contributed or accepted in 10185  
violation of that section. 10186

(Q) A treasurer of a committee or another person who violates 10187  
division (U) of section 3517.13 of the Revised Code shall be fined 10188  
not more than two hundred fifty dollars. 10189

(R) Whoever violates division (I) or (J) of section 3517.13 10190  
of the Revised Code shall be fined not more than one thousand 10191  
dollars. Whenever a person is found guilty of violating division 10192  
(I) or (J) of section 3517.13 of the Revised Code, the contract 10193  
awarded in violation of either of those divisions shall be 10194  
rescinded if its terms have not yet been performed. 10195

(S) A candidate whose campaign committee violates or a 10196  
treasurer of a campaign committee who violates section 3517.081 of 10197

the Revised Code, and a candidate whose campaign committee	10198
violates or a treasurer of a campaign committee or another person	10199
who violates division (C) of section 3517.10 of the Revised Code,	10200
shall be fined not more than five hundred dollars.	10201
 (T) A candidate whose campaign committee violates or a	10202
treasurer of a committee who violates division (B) of section	10203
3517.09 of the Revised Code, or a candidate whose campaign	10204
committee violates or a treasurer of a campaign committee or	10205
another person who violates division (C) of section 3517.09 of the	10206
Revised Code shall be fined not more than one thousand dollars.	10207
 (U) Whoever violates section 3517.20 of the Revised Code	10208
shall be fined not more than five hundred dollars.	10209
 (V) Whoever violates section 3517.21 or <u>section</u> 3517.22 of	10210
the Revised Code shall be imprisoned for not more than six months	10211
or fined not more than five thousand dollars, or both.	10212
 (W) A campaign committee that is required to file a	10213
declaration of no limits under division (D)(2) of section 3517.103	10214
of the Revised Code that, before filing that declaration, accepts	10215
a contribution or contributions that exceed the limitations	10216
prescribed in section 3517.102 of the Revised Code, shall return	10217
that contribution or those contributions to the contributor.	10218
 (X) Any campaign committee that fails to file the declaration	10219
of filing-day finances required by division (F) of section	10220
3517.109 <del>or the declaration of primary day finances or declaration</del>	10221
<del>of year-end finances required by division (E) of section 3517.1010</del>	10222
of the Revised Code shall be fined twenty-five dollars for each	10223
day of violation.	10224
 (Y)(1) Any campaign committee that fails to dispose of excess	10225
funds or excess aggregate contributions under division (B) of	10226
section 3517.109 of the Revised Code in the manner required by	10227
division (C) of that section <del>or under division (B) of section</del>	10228
<del>3517.1010 of the Revised Code in the manner required by division</del>	10229
<del>(C) of that section</del> shall give to the treasurer of state for	10230

deposit into the Ohio elections commission fund created under	10231
division (I) of section 3517.152 of the Revised Code all funds not	10232
disposed of pursuant to <del>those divisions</del> <u>that division</u> .	10233
(2) Any treasurer of a transition fund that fails to dispose	10234
of assets remaining in the transition fund as required under	10235
division (H)(1) or (2) of section 3517.1014 of the Revised Code	10236
shall give to the treasurer of state for deposit into the Ohio	10237
elections commission fund all assets not disposed of pursuant to	10238
that division.	10239
(Z) Any individual, campaign committee, political action	10240
committee, political contributing entity, legislative campaign	10241
fund, political party, treasurer of a transition fund, or other	10242
entity that violates any provision of sections 3517.09 to 3517.12	10243
of the Revised Code for which no penalty is provided for under any	10244
other division of this section shall be fined not more than one	10245
thousand dollars.	10246
(AA)(1) Whoever knowingly violates division (W)(1) of section	10247
3517.13 of the Revised Code shall be fined an amount equal to	10248
three times the amount contributed, expended, or promised in	10249
violation of that division or ten thousand dollars, whichever	10250
amount is greater.	10251
(2) Whoever knowingly violates division (W)(2) of section	10252
3517.13 of the Revised Code shall be fined an amount equal to	10253
three times the amount solicited or accepted in violation of that	10254
division or ten thousand dollars, whichever amount is greater.	10255
(BB) Whoever knowingly violates division (C) or (D) of	10256
section 3517.1011 of the Revised Code shall be fined not more than	10257
ten thousand dollars plus not more than one thousand dollars for	10258
each day of violation.	10259
(CC)(1) <del>Subject to division (CC)(2) of this section, whoever</del>	10260
<del>violates division (H) of section 3517.1011 of the Revised Code</del>	10261
<del>shall be fined an amount up to three times the amount disbursed</del>	10262
<del>for the direct costs of airing the communication made in violation</del>	10263



<del>of that division.</del>	10264
<del>(2) Whoever has been ordered by the Ohio elections commission</del>	10265
<del>or by a court of competent jurisdiction to cease making</del>	10266
<del>communications in violation of division (H) of section 3517.1011</del>	10267
<del>of the Revised Code who again violates that division shall be</del>	10268
<del>fined an amount equal to three times the amount disbursed for the</del>	10269
<del>direct costs of airing the communication made in violation of that</del>	10270
<del>division.</del>	10271
<del>(DD)</del> (1) Any corporation or labor organization that violates	10272
division (X)(3)(a) of section 3517.13 of the Revised Code shall be	10273
fined an amount equal to three times the amount given in excess of	10274
the amount permitted by that division.	10275
(2) Any state or county political party that violates	10276
division (X)(3)(b) of section 3517.13 of the Revised Code shall be	10277
fined an amount equal to three times the amount accepted in excess	10278
of the amount permitted by that division.	10279
<del>(EE)</del> <u>(DD)</u> (1) Any campaign committee or person who violates	10280
division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code	10281
shall be fined an amount equal to three times the amount donated	10282
in excess of the amount permitted by that division.	10283
(2) Any officeholder or treasurer of a transition fund who	10284
violates division (C)(3)(a) or (b) of section 3517.1014 of the	10285
Revised Code shall be fined an amount equal to three times the	10286
amount accepted in excess of the amount permitted by that	10287
division.	10288
<b>Sec. 3519.01.</b> (A) Only one proposal of law or constitutional	10289
amendment to be proposed by initiative petition shall be contained	10290
in an initiative petition to enable the voters to vote on that	10291
proposal separately. A petition shall include the text of any	10292
existing statute or constitutional provision that would be amended	10293
or repealed if the proposed law or constitutional amendment is	10294
adopted.	10295

Whoever seeks to propose a law or constitutional amendment by  
initiative petition shall, by a written petition signed by one  
thousand qualified electors, submit the proposed law or  
constitutional amendment and a summary of it to the attorney  
general for examination. Within ten days after the receipt of the  
written petition and the summary of it, the attorney general shall  
conduct an examination of the summary. If, in the opinion of the  
attorney general, the summary is a fair and truthful statement of  
the proposed law or constitutional amendment, the attorney general  
shall so certify and then forward the submitted petition to the  
Ohio ballot board for its approval under division (A) of section  
3505.062 of the Revised Code. If the Ohio ballot board returns the  
submitted petition to the attorney general with its certification  
as described in that division, the attorney general shall then  
file with the secretary of state a verified copy of the proposed  
law or constitutional amendment together with its summary and the  
attorney general's certification.

Whenever the Ohio ballot board divides an initiative petition  
into individual petitions containing only one proposed law or  
constitutional amendment under division (A) of section 3505.062 of  
the Revised Code resulting in the need for the petitioners to  
resubmit to the attorney general appropriate summaries for each of  
the individual petitions arising from the board's division of the  
initiative petition, the attorney general shall review the  
resubmitted summaries, within ten days after their receipt, to  
determine if they are a fair and truthful statement of the  
respective proposed laws or constitutional amendments and, if so,  
certify them. These resubmissions shall contain no new  
explanations or arguments. Then, the attorney general shall file  
with the secretary of state a verified copy of each of the  
proposed laws or constitutional amendments together with their  
respective summaries and the attorney general's certification of  
each.

(B)(1) Whoever seeks to file a referendum petition against  
any law, section, or item in any law shall, by a written petition  
signed by one thousand qualified electors, submit the measure to

be referred and a summary of it to the secretary of state and, on the same day or within one business day before or after that day, submit a copy of the petition, measure, and summary to the attorney general.

(2) Not later than ten business days after receiving the petition, measure, and summary, the secretary of state shall do both of the following:

(a) Have the validity of the signatures on the petition verified;

(b) After comparing the text of the measure to be referred with the copy of the enrolled act on file in the secretary of state's office containing the law, section, or item of law, determine whether the text is correct and, if it is, so certify.

(3) Not later than ten business days after receiving a copy of the petition, measure, and summary, the attorney general shall examine the summary and, if in the attorney general's opinion, the summary is a fair and truthful statement of the measure to be referred, so certify.

(C) Any person who is aggrieved by a certification decision under division (A) or (B) of this section may challenge the certification or failure to certify of the attorney general in the supreme court, which shall have exclusive, original jurisdiction in all challenges of those certification decisions.

**Sec. 3519.16.** ~~The circulator of any part petition, the committee interested in the petition, or any elector may file with the board of elections a protest against the board's findings made pursuant to section 3519.15 of the Revised Code. Protests shall be in writing and shall specify reasons for the protest. Protests for all initiative and referendum petitions other than those to be voted on by electors throughout the entire state shall be filed not later than four p.m. of the seventy-fourth day before the day of the election. Once a protest is filed, the board shall proceed to establish the sufficiency or insufficiency of the signatures~~

and of the verification of those signatures in an action before  
the court of common pleas in the county. The action shall be  
brought within three days after the protest is filed, and it shall  
be heard forthwith by a judge of that court, whose decision shall  
be certified to the board. The signatures that are adjudged  
sufficient or the part-petitions that are adjudged properly  
verified shall be included with the others by the board, and those  
found insufficient and all those part-petitions that are adjudged  
not properly verified shall not be included. (A) Pursuant to  
Section 1g of Article II, Ohio Constitution, the supreme court of  
Ohio shall have original, exclusive jurisdiction in all challenges  
to initiative and referendum petitions.

(B) The petitioner of any petition shall include upon each  
part-petition filed with the secretary of state a designation of  
the county in which the part-petition was circulated and a number  
for each part-petition. In any county where part-petitions are  
circulated, each part-petition shall be numbered sequentially.  
Upon the filing of the petition with the secretary of state, the  
petitioner of any petition shall also file the following:

(1) An electronic copy of the petition filed along with a  
verification that the electronic copy is a true representation of  
the original paper petition filed with the secretary of state;

(2) A summary of the number of part-petitions filed per  
county and the number of signatures on each part-petition;

(3) An index of the electronic copy.

(C) For a request made under Chapter 149. of the Revised Code  
for the inspection or copying of the original petition filed with  
the secretary of state, the request is fulfilled when the  
secretary of state provides inspection of or copies of the  
electronic copy filed by the petitioner of the petition. This  
section applies from the time of the initial filing of the  
petition with the secretary of state and remains applicable until  
the part-petitions are returned to the secretary of state from the  
local board of elections after a determination of sufficiency of

the petition pursuant to section 3519.15 of the Revised Code. 10399

(D) Discrepancies between the electronic copy filed under 10400  
division (B)(1) of this section and the original paper petitions 10401  
as filed with the secretary of state shall not render the petition 10402  
invalid. Discrepancies between a filed electronic copy and the 10403  
original paper petition, if the product of fraud, shall be subject 10404  
to criminal penalties under section 3599.36 of the Revised Code. 10405

(E) The properly verified part-petitions, together with the 10406  
report of the board, shall be returned to the secretary of state 10407  
not less than sixty days before the election, provided that, in 10408  
the case of an initiated law to be presented to the general 10409  
assembly, the boards shall promptly check and return the petitions 10410  
together with their report. The secretary of state shall notify, 10411  
by certified mail, the chairperson each member of the committee 10412  
in charge of the circulation as to the sufficiency or 10413  
insufficiency of the petition and the extent of the insufficiency. 10414

If the petition is found insufficient because of an 10415  
insufficient number of valid signatures, the committee shall be 10416  
allowed ten additional days after the ~~notification by~~ first member 10417  
of the committee receives notice of the petition's insufficiency 10418  
by certified mail from the secretary of state for the filing of 10419  
additional signatures to the petition. No additional signatures 10420  
may be collected by the circulator of the petition until the 10421  
secretary of state determines the sufficiency of the signatures 10422  
that the circulator originally filed with the secretary of state 10423  
The part-petitions of the supplementary petition that appear to 10424  
the secretary of state to be properly verified, upon their receipt 10425  
by the secretary of state, shall forthwith be forwarded to the 10426  
boards of the several counties together with the part-petitions of 10427  
the original petition that have been properly verified. They shall 10428  
be immediately examined and passed upon as to the validity and 10429  
sufficiency of the signatures on them by each of the boards and 10430  
returned within five days to the secretary of state with the 10431  
report of each board. No signature on a supplementary 10432  
part-petition that is the same as a signature on an original 10433

part-petition shall be counted. The number of signatures in both  
the original and supplementary petitions, properly verified, shall  
be used by the secretary of state in determining the total number  
of signatures to the petition that the secretary of state shall  
record and announce. If they are sufficient, the amendment,  
proposed law, or law shall be placed on the ballot as required by  
law. If the petition is found insufficient, the secretary of state  
shall notify the committee in charge of the circulation of the  
petition.

**Sec. 3599.03.** (A)(1) ~~Except to carry on activities specified~~  
~~in sections 3517.082 and 3517.1011, division (A)(2) of section~~  
~~3517.1012, division (B) of section 3517.1013, division (C)(1) of~~  
~~section 3517.1014, and section 3599.031 of the Revised Code and~~  
~~except as provided in divisions (D), (E), and (F)~~ (a) Subject to  
division (A)(1)(b) of this section, no corporation, no nonprofit  
corporation, and no labor organization, directly or indirectly,  
shall pay or use, or offer, advise, consent, or agree to pay or  
use, the corporation's money or property, or the labor  
organization's money, including dues, initiation fees, or other  
assessments paid by members, or property, ~~for or in aid of or~~  
~~opposition to~~ make a contribution to a political party, a  
candidate for election or nomination to public office, a political  
action committee including a political action committee of the  
corporation or labor organization, a legislative campaign fund, or  
any organization that supports or opposes any such candidate, ~~or~~  
~~for any partisan political purpose~~, shall violate any law  
requiring the filing of an affidavit or statement respecting such  
use of those funds, or shall pay or use the corporation's or labor  
organization's money for the expenses of a social fund-raising  
event for its political action committee if an employee's or labor  
organization member's right to attend such an event is predicated  
on the employee's or member's contribution to the corporation's or  
labor organization's political action committee.

(b) Nothing in this section prohibits a labor organization  
from making a contribution to a candidate's campaign committee or  
to another political entity or from making an independent

<u>expenditure.</u>	10470
(2) Whoever violates division (A)(1)(a) of this section shall	10471
be fined not less than five hundred nor more than five thousand	10472
dollars.	10473
(B)(1) No officer, stockholder, attorney, or agent of a	10474
corporation or nonprofit corporation, no member, including an	10475
officer, attorney, or agent, of a labor organization, and no	10476
candidate, political party official, or other individual shall	10477
knowingly aid, advise, solicit, or receive money or other property	10478
in violation of division (A)(1)(a) of this section.	10479
(2) Whoever violates division (B)(1) of this section shall be	10480
fined not more than one thousand dollars, or imprisoned not more	10481
than one year, or both.	10482
(C) A corporation, a nonprofit corporation, or a labor	10483
organization may use its funds or property for or in aid of or	10484
opposition to a proposed or certified ballot issue. Such use of	10485
funds or property shall be reported on a form prescribed by the	10486
secretary of state. Reports of contributions in connection with	10487
statewide ballot issues shall be filed with the secretary of	10488
state. Reports of contributions in connection with local issues	10489
shall be filed with the board of elections of the most populous	10490
county of the district in which the issue is submitted or to be	10491
submitted to the electors. Reports made pursuant to this division	10492
shall be filed by the times specified in divisions (A)(1) and (2)	10493
of section 3517.10 of the Revised Code.	10494
(D)(1) Any gift made pursuant to section 3517.101 of the	10495
Revised Code does not constitute a violation of this section or of	10496
any other section of the Revised Code.	10497
(2) Any gift made pursuant to division (A)(2) of section	10498
3517.1012 of the Revised Code does not constitute a violation of	10499
this section.	10500
(3) Any gift made pursuant to division (B) of section	10501

3517.1013 of the Revised Code does not constitute a violation of this section. 10502  
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(4) Any donation made pursuant to division (C)(1) of section 3517.1014 of the Revised Code does not constitute a violation of this section. 10504  
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(E) Any compensation or fees paid by a financial institution to a state political party for services rendered pursuant to division (B) of section 3517.19 of the Revised Code do not constitute a violation of this section or of any other section of the Revised Code. 10507  
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(F)(1) The use by a nonprofit corporation of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if the stockholders, members, donors, trustees, or officers of the nonprofit corporation are the predominant recipients of the communication. 10512  
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(2) The placement of a campaign sign on the property of a corporation, nonprofit corporation, or labor organization is not a use of property in violation of division (A) of this section by that corporation, nonprofit corporation, or labor organization. 10518  
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(3) The use by a corporation or labor organization of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if it is not a communication made by mass broadcast such as radio or television or made by advertising in a newspaper of general circulation but is a communication sent exclusively to members, employees, officers, or trustees of that labor organization or shareholders, employees, officers, or directors of that corporation or to members of the immediate families of any such individuals or if the communication intended to be so sent exclusively is unintentionally sent as well to a de minimis number of other individuals. 10522  
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(G) In addition to the laws listed in division (A) of section 10534



4117.10 of the Revised Code that prevail over conflicting 10535  
agreements between employee organizations and public employers, 10536  
this section prevails over any conflicting provisions of 10537  
agreements between labor organizations and public employers that 10538  
are entered into on or after March 31, 2005, pursuant to Chapter 10539  
4117. of the Revised Code. 10540

(H) As used in this section, "labor organization" has the 10541  
same meaning as in section 3517.01 of the Revised Code. 10542

**Sec. 3599.07.** No ~~judge of elections~~precinct election 10543  
official, observer, or police officer admitted into the polling 10544  
rooms at the election, at any time while the polls are open, shall 10545  
have in the individual's possession, distribute, or give out any 10546  
ballot or ticket to any person on any pretense during the 10547  
receiving, counting, or certifying of the votes, or have any 10548  
ballot or ticket in the individual's possession or control, except 10549  
in the proper discharge of the individual's official duty in 10550  
receiving, counting, or canvassing the votes. This section does 10551  
not prevent the lawful exercise by a ~~judge of elections~~precinct 10552  
election official or observer of the individual right to vote at 10553  
such election. 10554

**Sec. 3599.17.** (A) No elections official serving as a 10555  
registrar or ~~judge of elections~~precinct election official shall 10556  
do any of the following: 10557

(1) Fail to appear before the board of elections, or its 10558  
representative, after notice has been served personally upon the 10559  
official or left at the official's usual place of residence, for 10560  
examination as to the official's qualifications; 10561

(2) Fail to appear at the polling place to which the official 10562  
is assigned at the hour and during the hours set for the 10563  
registration or election; 10564

(3) Fail to take the oath prescribed by section 3501.31 of 10565  
the Revised Code, unless excused by such board; 10566

(4) Refuse or sanction the refusal of another registrar or <del>judge of elections</del> <u>precinct election official</u> to administer an oath required by law;	10567 10568 10569
(5) Fail to send notice to the board of the appointment of a <del>judge</del> <u>precinct election official</u> to fill a vacancy;	10570 10571
(6) Act as registrar or <del>judge</del> <u>precinct election official</u> without having been appointed and having received a certificate of appointment, except a <del>judge</del> <u>precinct election official</u> appointed to fill a vacancy caused by absence or removal;	10572 10573 10574 10575
(7) Fail in any other way to perform any duty imposed by law.	10576
(B) Whoever violates division (A) of this section is guilty of a misdemeanor of the first degree.	10577 10578
<b>Sec. 3599.19.</b> (A) No <del>judge of elections</del> <u>precinct election official</u> shall knowingly do any of the following:	10579 10580
(1) Unlawfully open or permit to be opened the sealed package containing registration lists, ballots, blanks, pollbooks, and other papers and material to be used in an election;	10581 10582 10583
(2) Unlawfully misplace, carry away, negligently lose or permit to be taken from the <del>judge</del> <u>precinct election official</u> , fail to deliver, or destroy any such packages, papers, or material;	10584 10585 10586
(3) Receive or sanction the reception of a ballot from a person not a qualified elector or from a person who refused to answer a question in accordance with the election law;	10587 10588 10589
(4) Refuse to receive or sanction the rejection of a ballot from a person, knowing that person to be a qualified elector;	10590 10591
(5) Permit a fraudulent ballot to be placed in the ballot box;	10592 10593
(6) Place or permit to be placed in any ballot box any ballot	10594

known by the <del>judge</del> <u>precinct election official</u> to be improperly or falsely marked;	10595 10596
(7) Count or permit to be counted any illegal or fraudulent ballot;	10597 10598
(8) Mislead an elector who is physically unable to prepare the elector's ballot, mark a ballot for such elector otherwise than as directed by that elector, or disclose to any person, except when legally required to do so, how such elector voted;	10599 10600 10601 10602
(9) Alter or mark or permit any alteration or marking on any ballot when counting the ballots;	10603 10604
(10) Unlawfully count or tally or sanction the wrongful counting or tallying of votes;	10605 10606
(11) After the counting of votes commences, as required by law, postpone or sanction the postponement of the counting of votes, adjourn at any time or to any place, or remove the ballot box from the place of voting, or from the custody or presence of all the <del>judges of such elections</del> <u>precinct election officials</u> ;	10607 10608 10609 10610 10611
(12) Permit any ballot to remain or to be in the ballot box at the opening of the polls, or to be put in the box during the counting of the ballots, or to be left in the box without being counted;	10612 10613 10614 10615
(13) Admit or sanction the admission to the polling room at an election during the receiving, counting, and certifying of votes of any person not qualified by law to be so admitted;	10616 10617 10618
(14) Refuse to admit or sanction the refusal to admit any person, upon lawful request for admission, who is legally qualified to be present;	10619 10620 10621
(15) Permit or sanction the counting of the ballots contrary to the manner prescribed by law;	10622 10623

(16) Neglect or unlawfully execute any duty enjoined upon the judgeprecinct election official by law. 10624  
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(B) Whoever violates division (A) of this section is guilty 10626  
of a misdemeanor of the first degree. 10627

**Sec. 3599.30.** No school operated by a school district, no 10628  
community school established under Chapter 3314. of the Revised 10629  
Code, no STEM school established under Chapter 3326. of the 10630  
Revised Code, and no chartered nonpublic school shall, during the 10631  
regular school day, transport one or more students to a polling 10632  
place or board of elections for the purpose of casting a ballot. 10633

**Sec. 3599.31.** No officer of the law shall fail to obey 10634  
forthwith an order of the presiding judgevoting location manager 10635  
and aid in enforcing a lawful order of the presiding judgesvoting 10636  
location manager at an election, against persons unlawfully 10637  
congregating or loitering within one hundred feet of a polling 10638  
place, hindering or delaying an elector from reaching or leaving 10639  
the polling place, soliciting or attempting, within one hundred 10640  
feet of the polling place, to influence an elector in casting the 10641  
elector's vote, or interfering with the registration of voters or 10642  
casting and counting of the ballots. 10643

Whoever violates this section is guilty of a misdemeanor of 10644  
the first degree. 10645

**Section 2.** That existing sections 7.101, 511.27, 1545.21, 10646  
2101.44, 3501.01, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 10647  
3501.13, 3501.14, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 10648  
3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 10649  
3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 10650  
3503.15, 3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 10651  
3503.28, 3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 10652  
3505.13, 3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 10653  
3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 10654  
3505.30, 3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 10655  
3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 10656

3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 10657  
3511.09, 3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.05, 10658  
3513.12, 3513.131, 3513.18, 3513.19, 3513.21, 3513.262, 3513.30, 10659  
3515.04, 3517.01, 3517.012, 3517.014, 3517.051, 3517.10, 3517.102, 10660  
3517.103, 3517.106, 3517.107, 3517.1011, 3517.11, 3517.153, 10661  
3517.154, 3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 10662  
3599.17, 3599.19, and 3599.31 and sections 3503.29, 3504.01, 10663  
3506.16, 3517.016, and 3517.1010 of the Revised Code are hereby 10664  
repealed. 10665

**Section 3.** That sections 3.02, 302.09, 305.02, 503.24, 10666  
733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the Revised Code 10667  
be amended to read as follows, to make those sections consistent 10668  
with the requirements of the Ohio Constitution: 10669

**Sec. 3.02.** (A) When an elective office becomes vacant and is 10670  
filled by appointment, such appointee shall hold the office until 10671  
the appointee's successor is elected and qualified; and such 10672  
successor shall be elected for the unexpired term, at the first 10673  
general election for the office which is vacant that occurs more 10674  
than ~~fifty-six~~forty days after the vacancy has occurred; provided 10675  
that when the unexpired term ends within one year immediately 10676  
following the date of such general election, an election to fill 10677  
such unexpired term shall not be held and the appointment shall be 10678  
for such unexpired term. 10679

(B) When an elective office becomes vacant and is filled by 10680  
appointment, the appointing authority shall, immediately but no 10681  
later than seven days after making the appointment, certify it to 10682  
the board of elections and to the secretary of state. The board of 10683  
elections or, in the case of an appointment to a statewide office, 10684  
the secretary of state shall issue a certificate of appointment to 10685  
the appointee. Certificates of appointment shall be in such form 10686  
as the secretary of state shall prescribe. 10687

(C) When an elected candidate fails to qualify for the office 10688  
to which the candidate has been elected, the office shall be 10689  
filled as in the case of a vacancy. Until so filled, the incumbent 10690

officer shall continue to hold office. This section does not  
postpone the time for such election beyond that at which it would  
have been held had no such vacancy occurred, or affect the  
official term, or the time for the commencement thereof, of any  
person elected to such office before the occurrence of such  
vacancy.

**Sec. 302.09.** When a vacancy occurs in the board of county  
commissioners or in the office of county auditor, county  
treasurer, prosecuting attorney, clerk of the court of common  
pleas, sheriff, county recorder, county engineer, or coroner more  
than ~~fifty-six~~forty days before the next general election for  
state and county officers, the vacancy shall be filled as provided  
for in divisions (A) and (B) of section 305.02 of the Revised  
Code.

**Sec. 305.02.** (A) If a vacancy in the office of county  
commissioner, prosecuting attorney, county auditor, county  
treasurer, clerk of the court of common pleas, sheriff, county  
recorder, county engineer, or coroner occurs more than ~~fifty-six~~  
forty days before the next general election for state and county  
officers, a successor shall be elected at such election for the  
unexpired term unless such term expires within one year  
immediately following the date of such general election.

In either event, the vacancy shall be filled as provided in  
this section, and the appointee shall hold office until a  
successor is elected and qualified.

(B) If a vacancy occurs from any cause in any of the offices  
named in division (A) of this section, the county central  
committee of the political party with which the last occupant of  
the office was affiliated shall appoint a person to hold the  
office and to perform the duties thereof until a successor is  
elected and has qualified, except that if such vacancy occurs  
because of the death, resignation, or inability to take the office  
of an officer-elect whose term has not yet begun, an appointment  
to take such office at the beginning of the term shall be made by

the central committee of the political party with which such officer-elect was affiliated.

(C) Not less than five nor more than forty-five days after a vacancy occurs, the county central committee shall meet for the purpose of making an appointment under this section. Not less than four days before the date of such meeting the chairperson or secretary of such central committee shall send by first class mail to every member of such central committee a written notice which shall state the time and place of such meeting and the purpose thereof. A majority of the members of the central committee present at such meeting may make the appointment.

(D) If the last occupant of the office or the officer-elect was elected as an independent candidate, the board of county commissioners shall make such appointment at the time when the vacancy occurs, except where the vacancy is in the office of county commissioner, in which case the prosecuting attorney and the remaining commissioners or a majority of them shall make the appointment.

(E) Appointments made under this section shall be certified by the appointing county central committee or by the board of county commissioners to the county board of elections and to the secretary of state, and the persons so appointed and certified shall be entitled to all remuneration provided by law for the offices to which they are appointed.

(F) The board of county commissioners may appoint a person to hold any of the offices named in division (A) of this section as an acting officer and to perform the duties thereof between the occurrence of the vacancy and the time when the officer appointed by the central committee qualifies and takes the office.

(G) A person appointed prosecuting attorney or assistant prosecuting attorney shall give bond and take the oath of office prescribed by section 309.03 of the Revised Code for the prosecuting attorney.

**Sec. 503.24.** If there is a vacancy by reason of the  
nonacceptance, death, or removal of a person chosen to an office  
in any township at the regular election, or if there is a vacancy  
from any other cause, the board of township trustees shall appoint  
a person having the qualifications of an elector to fill such  
vacancy for the unexpired term or until a successor is elected.

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If a township is without a board or if no appointment is made  
within thirty days after the occurrence of a vacancy, a majority  
of the persons designated as the committee of five on the  
last-filed nominating petition of the township officer whose  
vacancy is to be filled who are residents of the township shall  
appoint a person having the qualifications of an elector to fill  
the vacancy for the unexpired term or until a successor is  
elected. If at least three of the committee members who are  
residents of the township cannot be found, or if that number of  
such members fails to make an appointment within ten days after  
the thirty-day period in which the board of township trustees is  
authorized to make an appointment, then the presiding probate  
judge of the county shall appoint a suitable person having the  
qualifications of an elector in the township to fill the vacancy  
for the unexpired term or until a successor is elected.

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If a vacancy occurs in a township elective office more than  
~~fifty-six~~forty days before the next general election for  
municipal and township officers a successor shall be chosen at  
that election to fill the unexpired term, provided the term does  
not expire within one year from the day of the election. If the  
term expires within one year from the day of the next general  
election for municipal and township officers, a successor  
appointed pursuant to this section shall serve out the unexpired  
term.

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**Sec. 733.31.** (A) Unless otherwise provided by law, vacancies  
arising in appointive and elective offices of villages shall be  
filled by appointment by the mayor for the remainder of the  
unexpired term, provided that:

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(1) Vacancies in the office of mayor shall be filled in the manner provided by section 733.25 of the Revised Code;	10792 10793
(2) Vacancies in the membership of the legislative authority shall be filled in the manner provided by section 731.43 of the Revised Code;	10794 10795 10796
(3) Vacancies in the office of president pro tempore of a village legislative authority shall be filled in the manner provided by section 731.11 of the Revised Code.	10797 10798 10799
In the event of a vacancy in the office of village clerk or treasurer, the mayor may appoint a person to serve as an acting officer to perform the duties of the office until a permanent officer is appointed to fill the vacancy.	10800 10801 10802 10803
(B) Unless otherwise provided by law, vacancies arising in appointive offices of cities shall be filled by appointment by the mayor for the remainder of the unexpired term.	10804 10805 10806
(C) A vacancy in the office of president of the legislative authority of a city shall be filled in the same manner as provided in division (D) of this section. Vacancies in the office of mayor of a city shall be filled in the manner provided in section 733.08 of the Revised Code. Vacancies in the membership of the legislative authority of a city shall be filled in the manner provided in section 731.43 of the Revised Code.	10807 10808 10809 10810 10811 10812 10813
(D) In case of the death, resignation, removal, or disability of the director of law, auditor, or treasurer of a city and such vacancy occurs more than <del>fifty-six</del> <u>forty</u> days before the next general election for such office, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election. In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified.	10814 10815 10816 10817 10818 10819 10820 10821 10822
(1) The county central committee of the political party with	10823

which the last occupant of the office was affiliated, acting 10824  
through its members who reside in the city where the vacancy 10825  
occurs, shall appoint a person to hold the office and to perform 10826  
the duties thereof until a successor is elected and has qualified, 10827  
except that if such vacancy occurs because of the death, 10828  
resignation, or inability to take the office of an officer-elect 10829  
whose term has not yet begun, an appointment to take such office 10830  
at the beginning of the term shall be made by the members of the 10831  
central committee who reside in the city where the vacancy occurs. 10832

(2) Not less than five nor more than forty-five days after a 10833  
vacancy occurs, the county central committee, acting through its 10834  
members who reside in the city where the vacancy occurs, shall 10835  
meet for the purpose of making an appointment. Not less than four 10836  
days before the date of the meeting the chairperson or secretary 10837  
of the central committee shall send by first class mail to every 10838  
member of such central committee who resides in the city where the 10839  
vacancy occurs a written notice which shall state the time and 10840  
place of such meeting and the purpose thereof. A majority of the 10841  
members of the central committee present at such meeting may make 10842  
the appointment. 10843

(E) If the last occupant of the office or the officer-elect, 10844  
as provided in division (D) of this section, was elected as an 10845  
independent candidate, the mayor of the city shall make the 10846  
appointment at the time the vacancy occurs. 10847

(F) Appointments made under this section shall be certified 10848  
by the appointing county central committee or by the mayor of the 10849  
municipal corporation to the county board of elections and to the 10850  
secretary of state. The persons so appointed and certified shall 10851  
be entitled to all remuneration provided by law for the offices to 10852  
which they are appointed. 10853

(G) The mayor of the city may appoint a person to hold the 10854  
city office of director of law, auditor, or treasurer as an acting 10855  
officer and to perform the duties thereof between the occurrence 10856  
of the vacancy and the time when the person appointed by the 10857

central committee qualifies and takes the office. 10858

**Sec. 1901.10.** (A)(1)(a) The judges of the municipal court 10859  
and officers of the court shall take an oath of office as provided 10860  
in section 3.23 of the Revised Code. The office of judge of the 10861  
municipal court is subject to forfeiture, and the judge may be 10862  
removed from office, for the causes and by the procedure provided 10863  
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the 10864  
office of judge exists upon the death, resignation, forfeiture, 10865  
removal from office, or absence from official duties for a period 10866  
of six consecutive months, as determined under this section, of 10867  
the judge and also by reason of the expiration of the term of an 10868  
incumbent when no successor has been elected or qualified. The 10869  
chief justice of the supreme court may designate a judge of 10870  
another municipal court to act until that vacancy is filled in 10871  
accordance with section 107.08 of the Revised Code. A vacancy 10872  
resulting from the absence of a judge from official duties for a 10873  
period of six consecutive months shall be determined and declared 10874  
by the legislative authority. 10875

(b) If a vacancy occurs in the office of judge or clerk of 10876  
the municipal court after the one-hundredth day before the first 10877  
Tuesday after the first Monday in May and prior to the ~~fifty-sixth~~ 10878  
fortieth day before the day of the general election, all 10879  
candidates for election to the unexpired term of the judge or 10880  
clerk shall file nominating petitions with the board of elections 10881  
not later than four p.m. on the tenth day following the day on 10882  
which the vacancy occurs, except that, when the vacancy occurs 10883  
fewer than ~~four~~six days before the ~~fifty-sixth~~fortieth day 10884  
before the general election, the deadline for filing shall be four 10885  
p.m. on the ~~fiftieth~~thirty-sixth day before the day of the 10886  
general election. 10887

(c) Each nominating petition referred to in division 10888  
(A)(1)(b) of this section shall be in the form prescribed in 10889  
section 3513.261 of the Revised Code and shall be signed by at 10890  
least fifty qualified electors of the territory of the municipal 10891  
court. No nominating petition shall be accepted for filing or 10892

filed if it appears on its face to contain signatures aggregating 10893  
in number more than twice the minimum aggregate number of 10894  
signatures required by this section. 10895

(2) If a judge of a municipal court that has only one judge 10896  
is temporarily absent, incapacitated, or otherwise unavailable, 10897  
the judge may appoint a substitute who has the qualifications 10898  
required by section 1901.06 of the Revised Code or a retired judge 10899  
of a court of record who is a qualified elector and a resident of 10900  
the territory of the court. If the judge is unable to make the 10901  
appointment, the chief justice of the supreme court shall appoint 10902  
a substitute. The appointee shall serve during the absence, 10903  
incapacity, or unavailability of the incumbent, shall have the 10904  
jurisdiction and powers conferred upon the judge of the municipal 10905  
court, and shall be styled "acting judge." During that time of 10906  
service, the acting judge shall sign all process and records and 10907  
shall perform all acts pertaining to the office, except that of 10908  
removal and appointment of officers of the court. All courts shall 10909  
take judicial notice of the selection and powers of the acting 10910  
judge. The incumbent judge shall establish the amount of 10911  
compensation of an acting judge upon either a per diem, hourly, or 10912  
other basis, but the rate of pay shall not exceed the per diem 10913  
amount received by the incumbent judge. 10914

(B) When the volume of cases pending in any municipal court 10915  
necessitates an additional judge, the chief justice of the supreme 10916  
court, upon the written request of the judge or presiding judge of 10917  
that municipal court, may designate a judge of another municipal 10918  
court or county court to serve for any period of time that the 10919  
chief justice may prescribe. The compensation of a judge so 10920  
designated shall be paid from the city treasury or, in the case of 10921  
a county-operated municipal court, from the county treasury. In 10922  
addition to the annual salary provided for in section 1901.11 of 10923  
the Revised Code and in addition to any compensation under 10924  
division (A)(5) or (6) of section 141.04 of the Revised Code to 10925  
which the judge is entitled in connection with the judge's own 10926  
court, a full-time or part-time judge while holding court outside 10927  
the judge's territory on the designation of the chief justice 10928

shall receive actual and necessary expenses and compensation as follows: 10929  
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(1) A full-time judge shall receive thirty dollars for each day of the assignment. 10931  
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(2) A part-time judge shall receive for each day of the assignment the per diem compensation of the judges of the court to which the judge is assigned, less the per diem amount paid to those judges pursuant to section 141.04 of the Revised Code, calculated on the basis of two hundred fifty working days per year. 10933  
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If a request is made by a judge or the presiding judge of a municipal court to designate a judge of another municipal court because of the volume of cases in the court for which the request is made and the chief justice reports, in writing, that no municipal or county court judge is available to serve by designation, the judges of the court requesting the designation may appoint a substitute as provided in division (A)(2) of this section, who may serve for any period of time that is prescribed by the chief justice. The substitute judge shall be paid in the same manner and at the same rate as the incumbent judges, except that, if the substitute judge is entitled to compensation under division (A)(5) or (6) of section 141.04 of the Revised Code, then section 1901.121 of the Revised Code shall govern its payment. 10939  
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**Sec. 2301.02.** The number of judges of the court of common pleas for each county, the time for the next election of the judges in the several counties, and the beginning of their terms shall be as follows: 10952  
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(A) In Adams, Ashland, Fayette, and Pike counties, one judge, elected in 1956, term to begin February 9, 1957; 10956  
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In Brown, Crawford, Defiance, Highland, Holmes, Morgan, Ottawa, and Union counties, one judge, to be elected in 1954, term to begin February 9, 1955; 10958  
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In Auglaize county, one judge, to be elected in 1956, term to begin January 9, 1957;	10961 10962
In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and Wyandot counties, one judge, to be elected in 1956, term to begin January 1, 1957;	10963 10964 10965 10966
In Morrow county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2006, term to begin January 1, 2007;	10967 10968 10969
In Logan county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2004, term to begin January 2, 2005;	10970 10971 10972
In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble, Shelby, Van Wert, and Williams counties, one judge, to be elected in 1952, term to begin January 1, 1953;	10973 10974 10975
In Champaign county, two judges, one to be elected in 1952, term to begin January 1, 1953, and one to be elected in 2008, term to begin February 10, 2009.	10976 10977 10978
In Harrison and Noble counties, one judge, to be elected in 1954, term to begin April 18, 1955;	10979 10980
In Henry county, two judges, one to be elected in 1956, term to begin May 9, 1957, and one to be elected in 2004, term to begin January 1, 2005;	10981 10982 10983
In Putnam county, one judge, to be elected in 1956, term to begin May 9, 1957;	10984 10985
In Huron county, one judge, to be elected in 1952, term to begin May 14, 1953;	10986 10987
In Perry county, one judge, to be elected in 1954, term to begin July 6, 1956;	10988 10989

In Sandusky county, two judges, one to be elected in 1954,	10990
term to begin February 10, 1955, and one to be elected in 1978,	10991
term to begin January 1, 1979;	10992
(B) In Allen county, three judges, one to be elected in 1956,	10993
term to begin February 9, 1957, the second to be elected in 1958,	10994
term to begin January 1, 1959, and the third to be elected in	10995
1992, term to begin January 1, 1993;	10996
In Ashtabula county, three judges, one to be elected in 1954,	10997
term to begin February 9, 1955, one to be elected in 1960, term to	10998
begin January 1, 1961, and one to be elected in 1978, term to	10999
begin January 2, 1979;	11000
In Athens county, two judges, one to be elected in 1954, term	11001
to begin February 9, 1955, and one to be elected in 1990, term to	11002
begin July 1, 1991;	11003
In Erie county, four judges, one to be elected in 1956, term	11004
to begin January 1, 1957, the second to be elected in 1970, term	11005
to begin January 2, 1971, the third to be elected in 2004, term to	11006
begin January 2, 2005, and the fourth to be elected in 2008, term	11007
to begin February 9, 2009;	11008
In Fairfield county, three judges, one to be elected in 1954,	11009
term to begin February 9, 1955, the second to be elected in 1970,	11010
term to begin January 1, 1971, and the third to be elected in	11011
1994, term to begin January 2, 1995;	11012
In Geauga county, two judges, one to be elected in 1956, term	11013
to begin January 1, 1957, and the second to be elected in 1976,	11014
term to begin January 6, 1977;	11015
In Greene county, four judges, one to be elected in 1956,	11016
term to begin February 9, 1957, the second to be elected in 1960,	11017
term to begin January 1, 1961, the third to be elected in 1978,	11018
term to begin January 2, 1979, and the fourth to be elected in	11019
1994, term to begin January 1, 1995;	11020

In Hancock county, two judges, one to be elected in 1952,	11021
term to begin January 1, 1953, and the second to be elected in	11022
1978, term to begin January 1, 1979;	11023
In Lawrence county, two judges, one to be elected in 1954,	11024
term to begin February 9, 1955, and the second to be elected in	11025
1976, term to begin January 1, 1977;	11026
In Marion county, three judges, one to be elected in 1952,	11027
term to begin January 1, 1953, the second to be elected in 1976,	11028
term to begin January 2, 1977, and the third to be elected in	11029
1998, term to begin February 9, 1999;	11030
In Medina county, three judges, one to be elected in 1956,	11031
term to begin January 1, 1957, the second to be elected in 1966,	11032
term to begin January 1, 1967, and the third to be elected in	11033
1994, term to begin January 1, 1995;	11034
In Miami county, two judges, one to be elected in 1954, term	11035
to begin February 9, 1955, and one to be elected in 1970, term to	11036
begin on January 1, 1971;	11037
In Muskingum county, three judges, one to be elected in 1968,	11038
term to begin August 9, 1969, one to be elected in 1978, term to	11039
begin January 1, 1979, and one to be elected in 2002, term to	11040
begin January 2, 2003;	11041
In Portage county, three judges, one to be elected in 1956,	11042
term to begin January 1, 1957, the second to be elected in 1960,	11043
term to begin January 1, 1961, and the third to be elected in	11044
1986, term to begin January 2, 1987;	11045
In Ross county, two judges, one to be elected in 1956, term	11046
to begin February 9, 1957, and the second to be elected in 1976,	11047
term to begin January 1, 1977;	11048
In Scioto county, three judges, one to be elected in 1954,	11049
term to begin February 10, 1955, the second to be elected in 1960,	11050



term to begin January 1, 1961, and the third to be elected in	11051
1994, term to begin January 2, 1995;	11052
In Seneca county, two judges, one to be elected in 1956, term	11053
to begin January 1, 1957, and the second to be elected in 1986,	11054
term to begin January 2, 1987;	11055
In Warren county, four judges, one to be elected in 1954,	11056
term to begin February 9, 1955, the second to be elected in 1970,	11057
term to begin January 1, 1971, the third to be elected in 1986,	11058
term to begin January 1, 1987, and the fourth to be elected in	11059
2004, term to begin January 2, 2005;	11060
In Washington county, two judges, one to be elected in 1952,	11061
term to begin January 1, 1953, and one to be elected in 1986, term	11062
to begin January 1, 1987;	11063
In Wood county, three judges, one to be elected in 1968, term	11064
beginning January 1, 1969, the second to be elected in 1970, term	11065
to begin January 2, 1971, and the third to be elected in 1990,	11066
term to begin January 1, 1991;	11067
In Belmont and Jefferson counties, two judges, to be elected	11068
in 1954, terms to begin January 1, 1955, and February 9, 1955,	11069
respectively;	11070
In Clark county, four judges, one to be elected in 1952, term	11071
to begin January 1, 1953, the second to be elected in 1956, term	11072
to begin January 2, 1957, the third to be elected in 1986, term to	11073
begin January 3, 1987, and the fourth to be elected in 1994, term	11074
to begin January 2, 1995.	11075
In Clermont county, five judges, one to be elected in 1956,	11076
term to begin January 1, 1957, the second to be elected in 1964,	11077
term to begin January 1, 1965, the third to be elected in 1982,	11078
term to begin January 2, 1983, the fourth to be elected in 1986,	11079
term to begin January 2, 1987; and the fifth to be elected in	11080
2006, term to begin January 3, 2007;	11081

In Columbiana county, two judges, one to be elected in 1952,	11082
term to begin January 1, 1953, and the second to be elected in	11083
1956, term to begin January 1, 1957;	11084
In Delaware county, two judges, one to be elected in 1990,	11085
term to begin February 9, 1991, the second to be elected in 1994,	11086
term to begin January 1, 1995;	11087
In Lake county, six judges, one to be elected in 1958, term	11088
to begin January 1, 1959, the second to be elected in 1960, term	11089
to begin January 2, 1961, the third to be elected in 1964, term to	11090
begin January 3, 1965, the fourth and fifth to be elected in 1978,	11091
terms to begin January 4, 1979, and January 5, 1979, respectively,	11092
and the sixth to be elected in 2000, term to begin January 6,	11093
2001;	11094
In Licking county, four judges, one to be elected in 1954,	11095
term to begin February 9, 1955, one to be elected in 1964, term to	11096
begin January 1, 1965, one to be elected in 1990, term to begin	11097
January 1, 1991, and one to be elected in 2004, term to begin	11098
January 1, 2005;	11099
In Lorain county, nine judges, two to be elected in 1952,	11100
terms to begin January 1, 1953, and January 2, 1953, respectively,	11101
one to be elected in 1958, term to begin January 3, 1959, one to	11102
be elected in 1968, term to begin January 1, 1969, two to be	11103
elected in 1988, terms to begin January 4, 1989, and January 5,	11104
1989, respectively, two to be elected in 1998, terms to begin	11105
January 2, 1999, and January 3, 1999, respectively; and one to be	11106
elected in 2006, term to begin January 6, 2007;	11107
In Butler county, eleven judges, one to be elected in 1956,	11108
term to begin January 1, 1957; two to be elected in 1954, terms to	11109
begin January 1, 1955, and February 9, 1955, respectively; one to	11110
be elected in 1968, term to begin January 2, 1969; one to be	11111
elected in 1986, term to begin January 3, 1987; two to be elected	11112
in 1988, terms to begin January 1, 1989, and January 2, 1989,	11113
respectively; one to be elected in 1992, term to begin January 4,	11114

1993; two to be elected in 2002, terms to begin January 2, 2003, 11115  
and January 3, 2003, respectively; and one to be elected in 2006, 11116  
term to begin January 3, 2007; 11117

In Richland county, four judges, one to be elected in 1956, 11118  
term to begin January 1, 1957, the second to be elected in 1960, 11119  
term to begin February 9, 1961, the third to be elected in 1968, 11120  
term to begin January 2, 1969, and the fourth to be elected in 11121  
2004, term to begin January 3, 2005; 11122

In Tuscarawas county, two judges, one to be elected in 1956, 11123  
term to begin January 1, 1957, and the second to be elected in 11124  
1960, term to begin January 2, 1961; 11125

In Wayne county, two judges, one to be elected in 1956, term 11126  
beginning January 1, 1957, and one to be elected in 1968, term to 11127  
begin January 2, 1969; 11128

In Trumbull county, six judges, one to be elected in 1952, 11129  
term to begin January 1, 1953, the second to be elected in 1954, 11130  
term to begin January 1, 1955, the third to be elected in 1956, 11131  
term to begin January 1, 1957, the fourth to be elected in 1964, 11132  
term to begin January 1, 1965, the fifth to be elected in 1976, 11133  
term to begin January 2, 1977, and the sixth to be elected in 11134  
1994, term to begin January 3, 1995; 11135

(C) In Cuyahoga county, thirty-nine judges; eight to be 11136  
elected in 1954, terms to begin on successive days beginning from 11137  
January 1, 1955, to January 7, 1955, and February 9, 1955, 11138  
respectively; eight to be elected in 1956, terms to begin on 11139  
successive days beginning from January 1, 1957, to January 8, 11140  
1957; three to be elected in 1952, terms to begin from January 1, 11141  
1953, to January 3, 1953; two to be elected in 1960, terms to 11142  
begin on January 8, 1961, and January 9, 1961, respectively; two 11143  
to be elected in 1964, terms to begin January 4, 1965, and January 11144  
5, 1965, respectively; one to be elected in 1966, term to begin on 11145  
January 10, 1967; four to be elected in 1968, terms to begin on 11146  
successive days beginning from January 9, 1969, to January 12, 11147  
1969; two to be elected in 1974, terms to begin on January 18, 11148

1975, and January 19, 1975, respectively; five to be elected in	11149
1976, terms to begin on successive days beginning January 6, 1977,	11150
to January 10, 1977; two to be elected in 1982, terms to begin	11151
January 11, 1983, and January 12, 1983, respectively; and two to	11152
be elected in 1986, terms to begin January 13, 1987, and January	11153
14, 1987, respectively;	11154

In Franklin county, twenty-two judges; two to be elected in	11155
1954, terms to begin January 1, 1955, and February 9, 1955,	11156
respectively; four to be elected in 1956, terms to begin January	11157
1, 1957, to January 4, 1957; four to be elected in 1958, terms to	11158
begin January 1, 1959, to January 4, 1959; three to be elected in	11159
1968, terms to begin January 5, 1969, to January 7, 1969; three to	11160
be elected in 1976, terms to begin on successive days beginning	11161
January 5, 1977, to January 7, 1977; one to be elected in 1982,	11162
term to begin January 8, 1983; one to be elected in 1986, term to	11163
begin January 9, 1987; two to be elected in 1990, terms to begin	11164
July 1, 1991, and July 2, 1991, respectively; one to be elected in	11165
1996, term to begin January 2, 1997; and one to be elected in	11166
2004, term to begin July 1, 2005;	11167

In Hamilton county, twenty-one judges; eight to be elected in	11168
1966, terms to begin January 1, 1967, January 2, 1967, and from	11169
February 9, 1967, to February 14, 1967, respectively; five to be	11170
elected in 1956, terms to begin from January 1, 1957, to January	11171
5, 1957; one to be elected in 1964, term to begin January 1, 1965;	11172
one to be elected in 1974, term to begin January 15, 1975; one to	11173
be elected in 1980, term to begin January 16, 1981; two to be	11174
elected at large in the general election in 1982, terms to begin	11175
April 1, 1983; one to be elected in 1990, term to begin July 1,	11176
1991; and two to be elected in 1996, terms to begin January 3,	11177
1997, and January 4, 1997, respectively;	11178

In Lucas county, fourteen judges; two to be elected in 1954,	11179
terms to begin January 1, 1955, and February 9, 1955,	11180
respectively; two to be elected in 1956, terms to begin January 1,	11181
1957, and October 29, 1957, respectively; two to be elected in	11182
1952, terms to begin January 1, 1953, and January 2, 1953,	11183

respectively; one to be elected in 1964, term to begin January 3,	11184
1965; one to be elected in 1968, term to begin January 4, 1969;	11185
two to be elected in 1976, terms to begin January 4, 1977, and	11186
January 5, 1977, respectively; one to be elected in 1982, term to	11187
begin January 6, 1983; one to be elected in 1988, term to begin	11188
January 7, 1989; one to be elected in 1990, term to begin January	11189
2, 1991; and one to be elected in 1992, term to begin January 2,	11190
1993;	11191

In Mahoning county, seven judges; three to be elected in	11192
1954, terms to begin January 1, 1955, January 2, 1955, and	11193
February 9, 1955, respectively; one to be elected in 1956, term to	11194
begin January 1, 1957; one to be elected in 1952, term to begin	11195
January 1, 1953; one to be elected in 1968, term to begin January	11196
2, 1969; and one to be elected in 1990, term to begin July 1,	11197
1991;	11198

In Montgomery county, fifteen judges; three to be elected in	11199
1954, terms to begin January 1, 1955, January 2, 1955, and January	11200
3, 1955, respectively; four to be elected in 1952, terms to begin	11201
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953,	11202
respectively; one to be elected in 1964, term to begin January 3,	11203
1965; one to be elected in 1968, term to begin January 3, 1969;	11204
three to be elected in 1976, terms to begin on successive days	11205
beginning January 4, 1977, to January 6, 1977; two to be elected	11206
in 1990, terms to begin July 1, 1991, and July 2, 1991,	11207
respectively; and one to be elected in 1992, term to begin January	11208
1, 1993.	11209

In Stark county, eight judges; one to be elected in 1958,	11210
term to begin on January 2, 1959; two to be elected in 1954, terms	11211
to begin on January 1, 1955, and February 9, 1955, respectively;	11212
two to be elected in 1952, terms to begin January 1, 1953, and	11213
April 16, 1953, respectively; one to be elected in 1966, term to	11214
begin on January 4, 1967; and two to be elected in 1992, terms to	11215
begin January 1, 1993, and January 2, 1993, respectively;	11216

In Summit county, thirteen judges; four to be elected in	11217
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1954, terms to begin January 1, 1955, January 2, 1955, January 3,  
1955, and February 9, 1955, respectively; three to be elected in  
1958, terms to begin January 1, 1959, January 2, 1959, and May 17,  
1959, respectively; one to be elected in 1966, term to begin  
January 4, 1967; one to be elected in 1968, term to begin January  
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one  
to be elected in 1992, term to begin January 6, 1993; and two to  
be elected in 2008, terms to begin January 5, 2009, and January 6,  
2009, respectively.

Notwithstanding the foregoing provisions, in any county  
having two or more judges of the court of common pleas, in which  
more than one-third of the judges plus one were previously elected  
at the same election, if the office of one of those judges so  
elected becomes vacant more than ~~fifty-six~~forty days prior to the  
second general election preceding the expiration of that judge's  
term, the office that that judge had filled shall be abolished as  
of the date of the next general election, and a new office of  
judge of the court of common pleas shall be created. The judge who  
is to fill that new office shall be elected for a six-year term at  
the next general election, and the term of that judge shall  
commence on the first day of the year following that general  
election, on which day no other judge's term begins, so that the  
number of judges that the county shall elect shall not be reduced.

Judges of the probate division of the court of common pleas  
are judges of the court of common pleas but shall be elected  
pursuant to sections 2101.02 and 2101.021 of the Revised Code,  
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot  
counties in which the judge of the court of common pleas elected  
pursuant to this section also shall serve as judge of the probate  
division, except in Lorain county in which the judges of the  
domestic relations division of the Lorain county court of common  
pleas elected pursuant to this section also shall perform the  
duties and functions of the judge of the probate division from  
February 9, 2009, through September 28, 2009, and except in Morrow  
county in which the judges of the court of common pleas elected  
pursuant to this section also shall perform the duties and

functions of the judge of the probate division. 11254

**Sec. 3501.02.** General elections in the state and its 11255  
political subdivisions shall be held as follows: 11256

(A) For the election of electors of president and 11257  
vice-president of the United States, in the year of 1932 and every 11258  
four years thereafter; 11259

(B) For the election of a member of the senate of the United 11260  
States, in the years 1932 and 1934, and every six years after each 11261  
of such years; except as otherwise provided for filling vacancies; 11262

(C) For the election of representatives in the congress of 11263  
the United States and of elective state and county officers 11264  
including elected members of the state board of education, in the 11265  
even-numbered years; except as otherwise provided for filling 11266  
vacancies; 11267

(D) For municipal and township officers, members of boards of 11268  
education, judges and clerks of municipal courts, in the 11269  
odd-numbered years; 11270

(E)(1) Proposed constitutional amendments or proposed 11271  
measures submitted by the general assembly or by initiative or 11272  
referendum petitions to the voters of the state at large may be 11273  
submitted to the general election in any year occurring at least 11274  
sixty days, in case of a referendum, and ninetyone hundred 11275  
twenty-five days, in the case of an initiated measure, subsequent 11276  
to the filing of the petitions therefor. ~~Proposed~~ 11277

(2) Proposed constitutional amendments submitted by the 11278  
general assembly to the voters of the state at large may be 11279  
submitted at a special election or general election in any year 11280  
occurring at least ninety days after the resolution is filed with 11281  
the secretary of state. The proposed constitutional amendment may 11282  
be submitted to the voters at a special election occurring on the 11283  
day in any year specified by division (E) of section 3501.01 of 11284  
the Revised Code for the holding of a primary election, ~~when~~ if a 11285

special election on that date is designated by the general  
assembly in the resolution adopting the proposed constitutional  
amendment.

No special election shall be held on a day other than the day  
of a general election, unless a law or charter provides otherwise,  
regarding the submission of a question or issue to the voters of a  
county, township, city, village, or school district.

(F)(1) Notwithstanding any provision of the Revised Code to  
the contrary, any question or issue, except a candidacy, to be  
voted upon at an election shall be certified, for placement upon  
the ballot, to the board of elections not later than four p.m. of  
the ninetieth day before the day of the election.

(2) Any question or issue that is certified for placement on  
a ballot on or after ~~the effective date of this amendment~~ July 2,  
2010, shall be certified not later than the ninetieth day before  
the day of the applicable election, notwithstanding any deadlines  
appearing in any section of the Revised Code governing the  
placement of that question or issue on the ballot.

**Sec. 3513.31.** (A) If a person nominated in a primary  
election as a candidate for election at the next general election,  
whose candidacy is to be submitted to the electors of the entire  
state, withdraws as that candidate or is disqualified as that  
candidate under section 3513.052 of the Revised Code, the vacancy  
in the party nomination so created may be filled by the state  
central committee of the major political party that made the  
nomination at the primary election, if the committee's chairperson  
and secretary certify the name of the person selected to fill the  
vacancy by the time specified in this division, at a meeting  
called for that purpose. The meeting shall be called by the  
chairperson of that committee, who shall give each member of the  
committee at least two days' notice of the time, place, and  
purpose of the meeting. If a majority of the members of the  
committee are present at the meeting, a majority of those present  
may select a person to fill the vacancy. The chairperson and



secretary of the meeting shall certify in writing and under oath 11320  
to the secretary of state, not later than the eighty-sixth day 11321  
before the day of the general election, the name of the person 11322  
selected to fill the vacancy. The certification must be 11323  
accompanied by the written acceptance of the nomination by the 11324  
person whose name is certified. A vacancy that may be filled by an 11325  
intermediate or minor political party shall be filled in 11326  
accordance with the party's rules by authorized officials of the 11327  
party. Certification must be made as in the manner provided for a 11328  
major political party. 11329

(B) If a person nominated in a primary election as a party 11330  
candidate for election at the next general election, whose 11331  
candidacy is to be submitted to the electors of a district 11332  
comprised of more than one county but less than all of the 11333  
counties of the state, withdraws as that candidate or is 11334  
disqualified as that candidate under section 3513.052 of the 11335  
Revised Code, the vacancy in the party nomination so created may 11336  
be filled by a district committee of the major political party 11337  
that made the nomination at the primary election, if the 11338  
committee's chairperson and secretary certify the name of the 11339  
person selected to fill the vacancy by the time specified in this 11340  
division, at a meeting called for that purpose. The district 11341  
committee shall consist of the chairperson and secretary of the 11342  
county central committee of such political party in each county in 11343  
the district. The district committee shall be called by the 11344  
chairperson of the county central committee of such political 11345  
party of the most populous county in the district, who shall give 11346  
each member of the district committee at least two days' notice of 11347  
the time, place, and purpose of the meeting. If a majority of the 11348  
members of the district committee are present at the district 11349  
committee meeting, a majority of those present may select a person 11350  
to fill the vacancy. The chairperson and secretary of the meeting 11351  
shall certify in writing and under oath to the board of elections 11352  
of the most populous county in the district, not later than four 11353  
p.m. of the eighty-sixth day before the day of the general 11354  
election, the name of the person selected to fill the vacancy. The 11355  
certification must be accompanied by the written acceptance of the 11356

nomination by the person whose name is certified. A vacancy that  
may be filled by an intermediate or minor political party shall be  
filled in accordance with the party's rules by authorized  
officials of the party. Certification must be made as in the  
manner provided for a major political party.

(C) If a person nominated in a primary election as a party  
candidate for election at the next general election, whose  
candidacy is to be submitted to the electors of a county,  
withdraws as that candidate or is disqualified as that candidate  
under section 3513.052 of the Revised Code, the vacancy in the  
party nomination so created may be filled by the county central  
committee of the major political party that made the nomination at  
the primary election, or by the county executive committee if so  
authorized, if the committee's chairperson and secretary certify  
the name of the person selected to fill the vacancy by the time  
specified in this division, at a meeting called for that purpose.  
The meeting shall be called by the chairperson of that committee,  
who shall give each member of the committee at least two days'  
notice of the time, place, and purpose of the meeting. If a  
majority of the members of the committee are present at the  
meeting, a majority of those present may select a person to fill  
the vacancy. The chairperson and secretary of the meeting shall  
certify in writing and under oath to the board of that county, not  
later than four p.m. of the eighty-sixth day before the day of the  
general election, the name of the person selected to fill the  
vacancy. The certification must be accompanied by the written  
acceptance of the nomination by the person whose name is  
certified. A vacancy that may be filled by an intermediate or  
minor political party shall be filled in accordance with the  
party's rules by authorized officials of the party. Certification  
must be made as in the manner provided for a major political  
party.

(D) If a person nominated in a primary election as a party  
candidate for election at the next general election, whose  
candidacy is to be submitted to the electors of a district within  
a county, withdraws as that candidate or is disqualified as that

candidate under section 3513.052 of the Revised Code, the vacancy 11393  
in the party nomination so created may be filled by a district 11394  
committee consisting of those members of the county central 11395  
committee or, if so authorized, those members of the county 11396  
executive committee in that county of the major political party 11397  
that made the nomination at the primary election who represent the 11398  
precincts or the wards and townships within the district, if the 11399  
committee's chairperson and secretary certify the name of the 11400  
person selected to fill the vacancy by the time specified in this 11401  
division, at a meeting called for that purpose. The district 11402  
committee meeting shall be called by the chairperson of the county 11403  
central committee or executive committee, as appropriate, who 11404  
shall give each member of the district committee at least two 11405  
days' notice of the time, place, and purpose of the meeting. If a 11406  
majority of the members of the district committee are present at 11407  
the district committee meeting, a majority of those present may 11408  
select a person to fill the vacancy. The chairperson and secretary 11409  
of the district committee meeting shall certify in writing and 11410  
under oath to the board of the county, not later than four p.m. of 11411  
the eighty-sixth day before the day of the general election, the 11412  
name of the person selected to fill the vacancy. The certification 11413  
must be accompanied by the written acceptance of the nomination by 11414  
the person whose name is certified. A vacancy that may be filled 11415  
by an intermediate or minor political party shall be filled in 11416  
accordance with the party's rules by authorized officials of the 11417  
party. Certification must be made as in the manner provided for a 11418  
major political party. 11419

(E) If a person nominated in a primary election as a party 11420  
candidate for election at the next general election, whose 11421  
candidacy is to be submitted to the electors of a subdivision 11422  
within a county, withdraws as that candidate or is disqualified as 11423  
that candidate under section 3513.052 of the Revised Code, the 11424  
vacancy in the party nomination so created may be filled by a 11425  
subdivision committee consisting of those members of the county 11426  
central committee or, if so authorized, those members of the 11427  
county executive committee in that county of the major political 11428  
party that made the nomination at that primary election who 11429

represent the precincts or the wards and townships within that subdivision, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose.

The subdivision committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the subdivision committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the subdivision committee are present at the subdivision committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the subdivision committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made in the manner provided for a major political party.

(F) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy so created may be filled by a majority of the committee of five, as designated on the candidate's nominating petition, if a member of that committee certifies in writing and under oath to the election officials with whom the candidate filed the candidate's nominating petition, not later than the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification shall be accompanied by the written acceptance of the nomination by the person whose name is certified and shall be made in the manner provided for a major political party.

(G) If a person nominated in a primary election as a party candidate for election at the next general election dies, the vacancy so created may be filled by the same committee in the same manner as provided in this section for the filling of similar vacancies created by withdrawals or disqualifications under section 3513.052 of the Revised Code, except that the certification, when filling a vacancy created by death, may not be filed with the secretary of state, or with a board of the most populous county of a district, or with the board of a county in which the major portion of the population of a subdivision is located, later than four p.m. of the tenth day before the day of such general election, or with any other board later than four p.m. of the fifth day before the day of such general election.

(H) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election dies prior to the tenth day before the day of that general election, the vacancy so created may be filled by a majority of the committee of five designated in the nominating petition to represent the candidate named in it. To fill the vacancy a member of the committee shall, not later than four p.m. of the fifth day before the day of the general election, file with the election officials with whom the petition nominating the person was filed, a certificate signed and sworn to under oath by a majority of the members, designating the person they select to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is so certified.

(I) If a person holding an elective office dies or resigns subsequent to the one hundred fifteenth day before the day of a primary election and prior to the eighty-sixth day before the day of the next general election, and if, under the laws of this state, a person may be elected at that general election to fill the unexpired term of the person who has died or resigned, the appropriate committee of each political party, acting as in the case of a vacancy in a party nomination, as provided in divisions (A) to (D) of this section, may select a person as the party

candidate for election for such unexpired term at that general 11501  
election, and certify the person's name to the appropriate 11502  
election official not later than four p.m. on the eighty-sixth day 11503  
before the day of that general election, or on the tenth day 11504  
following the day on which the vacancy occurs, whichever is later. 11505  
When the vacancy occurs on or subsequent to the eighty-sixth day 11506  
and six or more days prior to the ~~fifty-sixth~~fortieth day before 11507  
the general election, the appropriate committee may select a 11508  
person as the party candidate and certify the person's name, as 11509  
provided in the preceding sentence, not later than four p.m. on 11510  
the ~~fiftieth~~tenth day following the day on which the vacancy 11511  
occurs. When the vacancy occurs fewer than six days before the 11512  
fortieth day before the general election, the deadline for filing 11513  
shall be four p.m. on the thirty-sixth day before the general 11514  
election. Thereupon the name shall be printed as the party 11515  
candidate under proper titles and in the proper place on the 11516  
proper ballots for use at the election. If a person has been 11517  
nominated in a primary election, the authorized committee of that 11518  
political party shall not select and certify a person as the party 11519  
candidate. 11520

(J) Each person desiring to become an independent candidate 11521  
to fill the unexpired term shall file a statement of candidacy and 11522  
nominating petition, as provided in section 3513.261 of the 11523  
Revised Code, with the appropriate election official not later 11524  
than four p.m. on the tenth day following the day on which the 11525  
vacancy occurs, provided that when the vacancy occurs fewer than 11526  
six days before the fifty-sixth day before the general election, 11527  
the deadline for filing shall be four p.m. on the fiftieth day 11528  
before the general election. The nominating petition shall contain 11529  
at least seven hundred fifty signatures and no more than one 11530  
thousand five hundred signatures of qualified electors of the 11531  
district, political subdivision, or portion of a political 11532  
subdivision in which the office is to be voted upon, or the amount 11533  
provided for in section 3513.257 of the Revised Code, whichever is 11534  
less. 11535

(K) When a person nominated as a candidate by a political 11536

party in a primary election or by nominating petition for an 11537  
elective office for which candidates are nominated at a party 11538  
primary election withdraws, dies, or is disqualified under section 11539  
3513.052 of the Revised Code prior to the general election, the 11540  
appropriate committee of any other major political party or 11541  
committee of five that has not nominated a candidate for that 11542  
office, or whose nominee as a candidate for that office has 11543  
withdrawn, died, or been disqualified without the vacancy so 11544  
created having been filled, may, acting as in the case of a 11545  
vacancy in a party nomination or nomination by petition as 11546  
provided in divisions (A) to (F) of this section, whichever is 11547  
appropriate, select a person as a candidate of that party or of 11548  
that committee of five for election to the office. 11549

**Section 4.** That existing sections 3.02, 302.09, 305.02, 11550  
503.24, 733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the 11551  
Revised Code are hereby repealed. 11552

**Section 5.** Directives 2011-01 and 2009-21 issued by the 11553  
secretary of state are hereafter void and shall not be enforced or 11554  
have effect on or after the effective date of sections 3517.01 and 11555  
3517.012 of the Revised Code, as amended by this act. 11556

**Section 6.** A board of elections shall rearrange and combine 11557  
precincts within the applicable county as necessary to comply with 11558  
the minimum precinct size requirements established in section 11559  
3501.18 of the Revised Code, as amended by this act, not later 11560  
than December 31, 2011. 11561

**Section 7.** The amendment of section 3517.01 of the Revised 11562  
Code by Sections 1 and 2 of this act shall supersede the 11563  
provisions of rule 111-3-05 of the Administrative Code. On and 11564  
after the effective date of section 3517.01 of the Revised Code, 11565  
as amended by this act, rule 111-3-05 of the Administrative Code 11566  
shall be void and have no further effect. 11567

**Section 8.** It is the intent of the General Assembly that the 11568  
provisions of H.B. 159 of the 129th General Assembly, if enacted, 11569  
prevail over any conflicting provisions of this act for the 11570

purpose of determining the types of identification that are  
acceptable for voting under Title XXXV of the Revised Code.

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