

ABSENT VOTER'S BALLOTS (Dovilla, Stinziano) To permit uniformed services and overseas voters to request ballot applications and absent voter's ballots by electronic mail or internet delivery, to specify that a Federal Write-In Absentee Ballot submitted by such a persons may be used as the person's voter registration form and absent voter's ballot, to establish emergency election procedures for such persons involved in armed conflicts, troop mobilizations, or other emergencies, and to add daughters-in-law and sons-in-law to the list of family members who may request an absent voter's ballot on behalf of a uniformed services or overseas voter.

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 : July 13, 2011

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129th General Assembly

Amended Substitute House Bill Number 224

An Act

Representatives: Dovilla, Stinziano, Mecklenborg, Adams, J., Rosenberger, Pillich, Thompson, Wachtmann, Grossman, Combs, Murray, Butler, Maag, Uecker, Buchy, Celeste, Gardner, Huffman, Letson, Lundy, Patmon, Sprague, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Bubp, Budish, Carney, Clyde, Conditt, Damschroder, DeGeeter, Derickson, Driehaus, Duffey, Garland, Gentile, Gerberry, Goyal, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Johnson, Kozlowski, Landis, Mallory, Martin, McClain, McGregor, McKenney, Milkovich, Newbold, O'Brien, Peterson, Phillips, Reece, Roegner, Ruhl, Schuring, Sears, Slaby, Stautberg, Stebelton, Sykes, Szollosi, Weddington, Winburn, Young, Yuko Speaker Batchelder

Senators: Grendell, Turner, Brown, Jordan, Bacon, Coley, Daniels, Faber, Hite, Hughes, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schaffer, Wagoner, Widener, Wilson

A BILL

To amend sections 3501.13, 3503.02, 3503.14, 3503.19,	1
3503.191, 3503.28, 3505.18, 3505.181, 3505.183,	2
3509.021, 3509.03, 3509.04, 3509.05, 3509.07,	3
3511.01, 3511.02, 3511.021, 3511.04, 3511.05,	4
3511.09, 3511.10, 3511.11, and 3511.14, to amend,	5
for the purpose of adopting a new section number	6

as indicated in parentheses, section 3511.01 7
 (3511.011), to enact new section 3511.01 and 8
 sections 3509.10, 3511.15, and 3511.16, and to 9
 repeal sections 3503.20 and 3509.031 of the 10
 Revised Code to revise the law governing uniformed 11
 services and overseas voters, to specify that 12
 voters who provide a Social Security Number for 13
 election purposes only are required to provide the 14
 last four digits of that number, to revise the 15
 process for casting provisional ballots for voters 16
 without identification, to eliminate online voter 17
 registration, to require absent voter's ballot 18
 statements to include the voter's printed name, to 19
 make technical corrections to the laws governing 20
 elections, and to declare an emergency. 21

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

Section 1. That sections 3501.13, 3503.02, 3503.14, 3503.19, 22
 3503.191, 3503.28, 3505.18, 3505.181, 3505.183, 3509.021, 3509.03, 23
 3509.04, 3509.05, 3509.07, 3511.01, 3511.02, 3511.021, 3511.04, 24
 3511.05, 3511.09, 3511.10, 3511.11, and 3511.14 be amended, 25
 section 3511.01 (3511.011) be amended for the purpose of adopting 26
 a new section number as indicated in parentheses, and that new 27
 section 3511.01 and sections 3509.10, 3511.15, and 3511.16 of the 28
 Revised Code be enacted to read as follows: 29

Sec. 3501.13. (A) The director of the board of elections 30
 shall keep a full and true record of the proceedings of the board 31
 and of all moneys received and expended; file and preserve in the 32
 board's office all orders and records pertaining to the 33
 administration of registrations, primaries, and elections; receive 34
 and have the custody of all books, papers, and property belonging 35
 to the board; and perform other duties in connection with the 36
 office of director and the proper conduct of elections as the 37

board determines. 38

(B) Before entering upon the duties of the office, the 39
director shall subscribe to an oath that the director will support 40
the Constitution of the United States and the Ohio Constitution, 41
perform all the duties of the office to the best of the director's 42
ability, enforce the election laws, and preserve all records, 43
documents, and other property pertaining to the conduct of 44
elections placed in the director's custody. 45

(C) The director may administer oaths to persons required by 46
law to file certificates or other papers with the board, to 47
precinct election officials, to witnesses who are called to 48
testify before the board, and to voters filling out blanks at the 49
board's offices. Except as otherwise provided by state or federal 50
law, the records of the board and papers and books filed in its 51
office are public records and open to inspection under such 52
reasonable regulations as shall be established by the board. The 53
social security number or any part thereof of any elector or of 54
any applicant for voter registration is not a public record. The 55
board shall redact any such number from any record that it makes 56
open to public inspection or copying under this section. 57

The following notice shall be posted in a prominent place at 58
each board office: 59

"Except as otherwise provided by state or federal law, 60
records filed in this office of the board of elections are open to 61
public inspection during normal office hours, pursuant to the 62
following reasonable regulations: (the board shall here list its 63
regulations). Whoever prohibits any person from inspecting the 64
public records of this board is subject to the penalties of 65
section 3599.161 of the Revised Code." 66

(D) Upon receipt of a written declaration of intent to retire 67
as provided for in section 145.38 of the Revised Code, the 68
director shall provide a copy to each member of the board of 69
elections. 70

Sec. 3503.02. All registrars and judges of elections, in	71
determining the residence of a person offering to register or	72
vote, shall be governed by the following rules:	73
 (A) That place shall be considered the residence of a person	74
in which the person's habitation is fixed and to which, whenever	75
the person is absent, the person has the intention of returning.	76
 (B) A person shall not be considered to have lost the	77
person's residence who leaves the person's home and goes into	78
another state or county of this state, for temporary purposes	79
only, with the intention of returning.	80
 (C) A person shall not be considered to have gained a	81
residence in any county of this state into which the person comes	82
for temporary purposes only, without the intention of making such	83
county the permanent place of abode.	84
 (D) The place where the family of a married person resides	85
shall be considered to be the person's place of residence; except	86
that when the spouses have separated and live apart, the place	87
where such a spouse resides the length of time required to entitle	88
a person to vote shall be considered to be the spouse's place of	89
residence.	90
 (E) If a person removes to another state with the intention	91
of making such state the person's residence, the person shall be	92
considered to have lost the person's residence in this state.	93
 (F) Except as otherwise provided in division (G) of this	94
section, if a person removes from this state and continuously	95
resides outside this state for a period of four years or more, the	96
person shall be considered to have lost the person's residence in	97
this state, notwithstanding the fact that the person may entertain	98
an intention to return at some future period.	99
 (G) <u>(1)</u> If a person removes from this state to engage in the	100
services of the United States government, the person shall not be	101
considered to have lost the person's residence in this state	102

~~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
be the person's place of residence.

(2) If a person removes from this state to a location outside
of the United States and the person does not become a resident of
another state, the person shall not be considered to have lost the
person's residence in this state. The place where the person
resided at the time of the person's removal shall be considered to
be the person's place of residence.

(3) If a person is eligible to vote in this state under
division (D)(2) of section 3511.011 of the Revised Code, the place
where the person's parent or legal guardian resided in this state
prior to that parent or legal guardian's removal to a location
outside of the United States shall be considered to be the
person's place of residence.

(4) If an address that is considered to be a person's place
of residence under division (G) of this section ceases to be a
recognized residential address, the board of elections shall
assign an address to the applicable person for voting purposes.

(H) 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.

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

Sec. 3503.14. (A) 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:	136
(1) The voter's name;	137
(2) The voter's address;	138
(3) The current date;	139
(4) The voter's date of birth;	140
(5) The voter to provide one or more of the following:	141
(a) The voter's driver's license number or state identification card number, if any;	142 143
(b) The <u>last four digits of the</u> voter's social security number, if any;	144 145
(c) A copy of a 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 document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address.	146 147 148 149 150 151 152
(6) The voter's signature.	153
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.	154 155 156 157 158
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	159 160 161 162 163

electronic reading and conversion of the voter's information to 164
data and the subsequent electronic transfer of that data to the 165
statewide voter registration database established under section 166
3503.15 of the Revised Code. 167

(B) None of the following persons who are registering an 168
applicant in the course of that official's or employee's normal 169
duties shall sign the person's name, provide the person's address, 170
or name the employer who is employing the person to register an 171
applicant on a form prepared under this section: 172

(1) An election official; 173

(2) A county treasurer; 174

(3) A deputy registrar of motor vehicles; 175

(4) An employee of a designated agency; 176

(5) An employee of a public high school; 177

(6) An employee of a public vocational school; 178

(7) An employee of a public library; 179

(8) An employee of the office of a county treasurer; 180

(9) An employee of the bureau of motor vehicles; 181

(10) An employee of a deputy registrar of motor vehicles; 182

(11) An employee of an election official. 183

(C) Except as provided in section 3501.382 of the Revised 184
Code, any applicant who is unable to sign the applicant's own name 185
shall make an "X," if possible, which shall be certified by the 186
signing of the name of the applicant by the person filling out the 187
form, who shall add the person's own signature. If an applicant is 188
unable to make an "X," the applicant shall indicate in some manner 189

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. 3503.19. (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,
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.	224
Any state or local office of a designated agency, the office	225
of the registrar or any deputy registrar of motor vehicles, a	226
public high school or vocational school, a public library, or the	227
office of a county treasurer shall transmit any voter registration	228
application or change of registration form that it receives to the	229
board of elections of the county in which the state or local	230
office is located, within five business days after receiving the	231
voter registration application or change of registration form.	232
An otherwise valid voter registration application that is	233
returned to the appropriate office other than by mail must be	234
received by a state or local office of a designated agency, the	235
office of the registrar or any deputy registrar of motor vehicles,	236
a public high school or vocational school, a public library, the	237
office of a county treasurer, the office of the secretary of	238
state, or the office of a board of elections no later than the	239
thirtieth day preceding a primary, special, or general election	240
for the person to qualify as an elector eligible to vote at that	241
election. An otherwise valid registration application received	242
after that day entitles the elector to vote at all subsequent	243
elections.	244
Any state or local office of a designated agency, the office	245
of the registrar or any deputy registrar of motor vehicles, a	246
public high school or vocational school, a public library, or the	247
office of a county treasurer shall date stamp a registration	248
application or change of name or change of address form it	249
receives using a date stamp that does not disclose the identity of	250
the state or local office that receives the registration.	251
Voter registration applications, if otherwise valid, that are	252
returned by mail to the office of the secretary of state or to the	253
office of a board of elections must be postmarked no later than	254
the thirtieth day preceding a primary, special, or general	255
election in order for the person to qualify as an elector eligible	256
to vote at that election. If an otherwise valid voter registration	257

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 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.

(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.

(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.

(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:

(a) The applicant's registration;

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

(c) In bold type 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 this notification, 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 voter's social security number and~~ by casting a provisional ballot."

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

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

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

(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. 3503.191. (A) The secretary of state shall establish

procedures that allow any person who is eligible to vote as a
uniformed services voter or an overseas voter in accordance with
~~42 U.S.C. 1973ff-6~~Chapter 3511. of the Revised Code to request
voter registration forms electronically from the office of the
secretary of state or the board of elections of the county in
which the person's voting residence is located.

(B) The procedures shall allow such a person to express a
preference for the manner in which the person will receive the
requested voter registration forms, whether by mail,
electronically, or in person. The registration forms shall be
transmitted by the preferred method. If the requestor does not
express a preferred method, the registration forms shall be
delivered via standard mail.

(C) The secretary of state shall, by rule, establish and
maintain reasonable procedures necessary to protect the security,
confidentiality, and integrity of personal information that is
confidential under state or federal law that is collected, stored,
or otherwise used in the electronic voter registration form
request process established under this section. To the extent
practicable, the procedures shall protect the security and
integrity of the electronic voter registration form request
process and protect the privacy of the identity and personal data
of the person when such forms are requested, processed, and sent.

(D) In establishing procedures under this section, the
secretary of state shall designate at least one means of
electronic communication for use by such persons to request voter
registration forms, for use by the state to send voter
registration forms to those who have requested electronic
delivery, and for providing public election and voting
information. Such designated means of electronic communication
shall be identified on all information and instructional materials
that accompany balloting materials.

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 393
information: 394

(1) The applicable deadlines for registering to vote or for 395
returning an applicant's completed registration form; 396

(2) The applicable deadline for returning an applicant's 397
completed registration form if the person returning the form is 398
being compensated for registering voters; 399

(3) The locations to which a person may return an applicant's 400
completed registration form; 401

(4) The location to which a person who is compensated for 402
registering voters may return an applicant's completed 403
registration form; 404

(5) A notice, which shall be written in bold type, stating as 405
follows: 406

"Voters must bring identification to the polls in order to 407
verify identity. Identification may include a current and valid 408
photo identification, a military identification, a United States 409
passport, or a copy of a current utility bill, bank statement, 410
government check, paycheck, or other government document, other 411
than a voter registration notification sent by a board of 412
elections, that shows the voter's name and current address. Voters 413
who do not provide one of these documents will still be able to 414
vote ~~by providing the voter's social security number and by~~ 415
casting a provisional ballot." 416

(B)(1) The secretary of state shall provide the information 417
required to be included in the brochure developed under division 418
(A) of this section to any person who prints a voter registration 419
form that is made available on a web site of the office of the 420
secretary of state. 421

(2) If a board of elections operates and maintains a web 422
site, the board shall provide the information required to be 423

included in the brochure developed under division (A) of this 424
section to any person who prints a voter registration form that is 425
made available on that web site. 426

(C) As used in this section, "registering voters" includes 427
any effort, for compensation, to provide voter registration forms 428
or to assist persons in completing or returning those forms. 429

Sec. 3505.18. (A)(1) When an elector appears in a polling 430
place to vote, the elector shall announce to the precinct election 431
officials the elector's full name and current address and provide 432
proof of the elector's identity in the form of a current and valid 433
photo identification, a military identification, a United States 434
passport, or a copy of a current utility bill, bank statement, 435
government check, paycheck, or other government document, other 436
than a notice of voter registration mailed by a board of elections 437
under section 3503.19 of the Revised Code, that shows the name and 438
current address of the elector. 439

(2) If an elector does not have or is unable to provide to 440
the precinct election officials any of the forms of identification 441
required under division (A)(1) of this section, the elector may 442
cast a provisional ballot under section 3505.181 of the Revised 443
Code ~~and do either of the following:~~ 444

~~(a) Appear at the office of the board of elections not later 445
than the close of the polls on the day of the election and provide 446
the identification required under division (A)(1) of this section; 447
or 448~~

~~(b) Write the elector's social security number on the 449
provisional ballot envelope, which number shall be verified by the 450
board of elections with the bureau of motor vehicles. 451~~

(B) After the elector has announced the elector's full name 452
and current address and provided any of the forms of 453
identification required under division (A)(1) of this section, the 454
elector shall write the elector's signature at the proper place in 455
the poll list or signature pollbook provided for the purpose, 456

except that if, for any reason, an elector is unable to write the
elector's signature in the poll list or signature pollbook, the
elector may make the elector's mark at the place intended for the
elector's 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 493
who voted the ballot. 494

Sec. 3505.181. (A) All of the following individuals shall be 495
permitted to cast a provisional ballot at an election: 496

(1) An individual who declares that the individual is a 497
registered voter in the jurisdiction in which the individual 498
desires to vote and that the individual is eligible to vote in an 499
election, but the name of the individual does not appear on the 500
official list of eligible voters for the polling place or an 501
election official asserts that the individual is not eligible to 502
vote; 503

(2) An individual who does not have or is unable to provide 504
to the election officials any of the forms of identification 505
required under division (A)(1) of section 3505.18 of the Revised 506
Code; 507

(3) An individual whose name in the poll list or signature 508
pollbook has been marked under section 3509.09 or 3511.13 of the 509
Revised Code as having requested an absent voter's ballot or a 510
uniformed services or overseas absent voter's ballot for that 511
election and who appears to vote at the polling place; 512

(4) An individual whose notification of registration has been 513
returned undelivered to the board of elections and whose name in 514
the official registration list and in the poll list or signature 515
pollbook has been marked under division (C)(2) of section 3503.19 516
of the Revised Code; 517

(5) An individual who is challenged under section 3505.20 of 518
the Revised Code and the election officials determine that the 519
person is ineligible to vote or are unable to determine the 520
person's eligibility to vote; 521

(6) An individual who moves from one precinct to another 522
within a county, moves from one precinct to another and changes 523
the individual's name, moves from one county to another within the 524

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;

(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;

(8) An individual who is challenged under section 3513.20 of
the Revised Code who refuses to make the statement required under
that section; or 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;~~

(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. 557

If the individual declines to execute the affirmation, the 558
election official shall not record any of the information required 559
to be provided by the individual on the affirmation. The election 560
official shall explain to the individual that the provisional 561
ballot will not be counted. 562

(3) An election official at the polling place shall transmit 563
the ballot cast by the individual and the voter information 564
contained in the written affirmation executed by the individual 565
under division (B)(2) of this section to an appropriate local 566
election official for verification. 567

(4)(a) At the time that an individual casts a provisional 568
ballot, the appropriate local election official shall give the 569
individual written information that states that any individual who 570
casts a provisional ballot will be able to ascertain under the 571
system established under division (B)(4)(b) of this section 572
whether the vote was counted, and, if the vote was not counted, 573
the reason that the vote was not counted. 574

(b) The appropriate state or local election official shall 575
establish a free access system, in the form of a toll-free 576
telephone number, that any individual who casts a provisional 577
ballot may access to discover whether the vote of that individual 578
was counted, and, if the vote was not counted, the reason that the 579
vote was not counted. The free access system established under 580
this division also shall provide to an individual whose 581
provisional ballot was not counted information explaining how that 582
individual may contact the board of elections to register to vote 583
or to resolve problems with the individual's voter registration. 584

The appropriate state or local election official shall 585
establish and maintain reasonable procedures necessary to protect 586
the security, confidentiality, and integrity of personal 587
information collected, stored, or otherwise used by the free 588
access system established under this division. Access to 589

information about an individual ballot shall be restricted to the individual who cast the ballot.

(C)(1) If an individual declares that the individual is eligible to vote in a jurisdiction other than the jurisdiction in which the individual desires to vote, or if, upon review of the precinct voting location guide using the residential street address provided by the individual, an election official at the polling place at which the individual desires to vote determines that the individual is not eligible to vote in that jurisdiction, the election official may direct the individual to the polling place for the jurisdiction in which the individual appears to be eligible to vote, explain that the individual may cast a provisional ballot at the current location but the ballot will not be counted if it is cast in the wrong precinct, and provide the telephone number of the board of elections in case the individual 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) The individual may 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.

(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.	623
(E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code:	624 625
(1) "Jurisdiction" means the precinct in which a person is a legally qualified elector.	626 627
(2) "Precinct voting location guide" means either of the following:	628 629
(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;	630 631 632 633 634
(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.	635 636 637 638 639
(3) "Voting information" means all of the following:	640
(a) A sample version of the ballot that will be used for that election;	641 642
(b) Information regarding the date of the election and the hours during which polling places will be open;	643 644
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	645 646
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	647 648
(e) General information on voting rights under applicable federal and state laws, including information on the right of an	649 650

individual to cast a provisional ballot and instructions on how to 651
contact the appropriate officials if these rights are alleged to 652
have been violated; 653

(f) General information on federal and state laws regarding 654
prohibitions against acts of fraud and misrepresentation. 655

(F) Nothing in this section or section 3505.183 of the 656
Revised Code is in derogation of section 3505.24 of the Revised 657
Code, which permits a blind, disabled, or illiterate elector to 658
receive assistance in the marking of the elector's ballot by two 659
precinct election officials of different political parties. A 660
blind, disabled, or illiterate elector may receive assistance in 661
marking that elector's provisional ballot and in completing the 662
required affirmation in the same manner as an elector may receive 663
assistance on the day of an election under that section. 664

Sec. 3505.183. (A) When the ballot boxes are delivered to 665
the board of elections from the precincts, the board shall 666
separate the provisional ballot envelopes from the rest of the 667
ballots. Teams of employees of the board consisting of one member 668
of each major political party shall place the sealed provisional 669
ballot envelopes in a secure location within the office of the 670
board. The sealed provisional ballot envelopes shall remain in 671
that secure location until the validity of those ballots is 672
determined under division (B) of this section. 673

(B)(1) To determine whether a provisional ballot is valid and 674
entitled to be counted, the board shall examine the affirmation 675
executed by the provisional voter, the statewide voter 676
registration database, and other records maintained by the board 677
of elections and determine whether the individual who cast the 678
provisional ballot is registered and eligible to vote in the 679
applicable election. The board shall examine the information 680
contained in the written affirmation executed by the individual 681
who cast the provisional ballot under division (B)(2) of section 682
3505.181 of the Revised Code. ~~If the provisional voter provided~~ 683
~~identification at the board of elections prior to the close of the~~ 684

~~polls under division (A)(2)(a) of section 3505.18 of the Revised Code, the board of elections shall match that voter's provisional ballot envelope with the corresponding voter's identification and consider that provisional voter to have provided the required identification at the polling place at the time the ballot was cast when determining the validity of the provisional ballot. If the provisional voter provided the individual's social security number on the provisional ballot envelope under division (A)(2)(b) of that section, the board of elections shall verify that voter's social security number with records maintained by the bureau of motor vehicles. If those records correspond, the board of elections shall consider that provisional voter to have provided the required identification at the polling place at the time the ballot was cast.~~

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

- (a) The individual's printed name;
- (b) The individual's signature;
- (c) The individual's date of birth;
- (d) One of the following:
 - (i) The last four digits of the individual's social security number;
 - (ii) The individual's driver's license number;
 - (iii) The individual's state identification card number;
 - (iv) ~~Except as otherwise provided in division (B)(1) of this section, an~~An affirmative notation that the individual provided the required identification under division (A)(1) of section 3505.18 of the Revised Code;

(e) The individual's residence address;	714
(f) A statement that the individual is a registered voter in the jurisdiction in which the provisional ballot is being voted;	715 716
(g) A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted.	717 718
(2) If, in examining a provisional ballot affirmation <u>and comparing the information required under division (B)(1) of this section with the elector's information in the statewide voter registration database</u> , 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:	719 720 721 722 723 724
(a) The individual named on the affirmation is properly registered to vote.	725 726
(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.	727 728 729
(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, 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.	730 731 732 733 734 735 736 737 738 739
(d) <u>The last four digits of the elector's social security number or the elector's driver's license number or state identification number are not different from the last four digits of the elector's social security number or the elector's driver's license number or state identification number contained in the statewide voter registration database.</u>	740 741 742 743 744 745

(3)(a) If, in examining a provisional ballot affirmation <u>and</u>	746
<u>comparing the information required under division (B)(1) of this</u>	747
<u>section with the elector's information in the statewide voter</u>	748
<u>registration database</u> , the board determines that any of the	749
following applies, the provisional ballot envelope shall not be	750
opened, and the ballot shall not be counted:	751
(i) The individual named on the affirmation is not qualified	752
or is not properly registered to vote.	753
(ii) The individual named on the affirmation is not eligible	754
to cast a ballot in the precinct or for the election in which the	755
individual cast the provisional ballot.	756
(iii) Except as otherwise provided in division (B)(1) of this	757
section, the The individual did not provide all of the information	758
required under division (B)(1) of this section in the affirmation	759
that the individual executed at the time the individual cast the	760
provisional ballot.	761
(iv) The individual has already cast a ballot for the	762
election in which the individual cast the provisional ballot.	763
(v) The elector cast a provisional ballot under division	764
(A)(2) of section 3505.181 of the Revised Code and failed to	765
provide the required identification under division (A)(2)(a) of	766
section 3505.18 of the Revised Code, failed to provide the	767
elector's social security number under division (A)(2)(b) of that	768
section, or could not be positively identified because the	769
elector's social security number did not match the records	770
maintained by the bureau of motor vehicles under that division	771
<u>last four digits of the elector's social security number or the</u>	772
<u>elector's driver's license number or state identification number</u>	773
<u>are different from the last four digits of the elector's social</u>	774
<u>security number or the elector's driver's license number or state</u>	775
<u>identification number contained in the statewide voter</u>	776
<u>registration database.</u>	777

(b) If, in examining a provisional ballot affirmation <u>and</u>	778
<u>comparing the information required under division (B)(1) of this</u>	779
<u>section with the elector's information in the statewide voter</u>	780
<u>registration database</u> , the board is unable to determine either of	781
the following, the provisional ballot envelope shall not be	782
opened, and the ballot shall not be counted:	783
(i) Whether the individual named on the affirmation is	784
qualified or properly registered to vote;	785
(ii) Whether the individual named on the affirmation is	786
eligible to cast a ballot in the precinct or for the election in	787
which the individual cast the provisional ballot.	788
(C)(1) For each provisional ballot rejected under division	789
(B)(3) of this section, the board shall record the name of the	790
provisional voter who cast the ballot, the identification number	791
of the provisional ballot envelope, the names of the election	792
officials who determined the validity of that ballot, the date and	793
time that the determination was made, and the reason that the	794
ballot was not counted.	795
(2) Provisional ballots that are rejected under division	796
(B)(3) of this section shall not be counted but shall be preserved	797
in their provisional ballot envelopes unopened until the time	798
provided by section 3505.31 of the Revised Code for the	799
destruction of all other ballots used at the election for which	800
ballots were provided, at which time they shall be destroyed.	801
(D) Provisional ballots that the board determines are	802
eligible to be counted under division (B)(2) of this section shall	803
be counted in the same manner as provided for other ballots under	804
section 3505.27 of the Revised Code. No provisional ballots shall	805
be counted in a particular county until the board determines the	806
eligibility to be counted of all provisional ballots cast in that	807
county under division (B) of this section for that election.	808
Observers, as provided in section 3505.21 of the Revised Code, may	809
be present at all times that the board is determining the	810

eligibility of provisional ballots to be counted and counting 811
those provisional ballots determined to be eligible. No person 812
shall recklessly disclose the count or any portion of the count of 813
provisional ballots in such a manner as to jeopardize the secrecy 814
of any individual ballot. 815

(E) Nothing in this section shall prevent a board of 816
elections from examining provisional ballot affirmations to 817
determine the eligibility of provisional ballots to be counted 818
during the ten days after the day of an election. 819

Sec. 3509.021. ~~Except as provided in section 3509.031 of the~~ 820
~~Revised Code~~ all identification envelopes containing absent 821
voter's ballots for former resident voters who are entitled to 822
vote for presidential and vice-presidential electors only, shall 823
have printed or stamped thereon the words, "Presidential Ballot." 824

Sec. 3509.03. Except as provided in ~~section 3509.031 or~~ 825
division (B) of section 3509.08 of the Revised Code, any qualified 826
elector desiring to vote absent voter's ballots at an election 827
shall make written application for those ballots to the board of 828
elections of the county in which the elector's voting residence is 829
located. The application need not be in any particular form but 830
shall contain all of the following: 831

(A) The elector's name; 832

(B) The elector's signature; 833

(C) The address at which the elector is registered to vote; 834

(D) The elector's date of birth; 835

(E) One of the following: 836

(1) The elector's driver's license number or state 837
identification card number; 838

(2) The last four digits of the elector's social security 839

number; 840

(3) A copy of the elector's current and valid photo 841
identification, a copy of a military identification, a copy of a 842
United States passport, or a copy of a current utility bill, bank 843
statement, government check, paycheck, or other government 844
document, other than a notice of voter registration mailed by a 845
board of elections under section 3503.19 of the Revised Code, that 846
shows the name and address of the elector. 847

(F) A statement identifying the election for which absent 848
voter's ballots are requested; 849

(G) A statement that the person requesting the ballots is a 850
qualified elector; 851

(H) If the request is for primary election ballots, the 852
elector's party affiliation; 853

(I) If the elector desires ballots to be mailed to the 854
elector, the address to which those ballots shall be mailed. 855

Each application for absent voter's ballots shall be 856
delivered to the board not earlier than the first day of January 857
of the year of the elections for which the absent voter's ballots 858
are requested or not earlier than ninety days before the day of 859
the election at which the ballots are to be voted, whichever is 860
earlier, and not later than twelve noon of the third day before 861
the day of the election at which the ballots are to be voted, or 862
not later than ~~the close of regular business hours~~ six p.m. on the 863
~~day last Friday~~ before the day of the election at which the 864
ballots are to be voted if the application is delivered in person 865
to the office of the board. 866

A board of elections shall not mail any unsolicited 867
applications for absent voter's ballots. A board shall only mail 868
an absent voter's ballot application to an elector who has 869
requested such an application from the board. A board of elections 870
that mails an absent voter's ballot application to an elector 871

under this section shall not prepay the return postage for that application. 872
873

Sec. 3509.04. (A) If a board of elections receives an 874
application for absent voter's ballots that does not contain all 875
of the required information, the board promptly shall notify the 876
applicant of the additional information required to be provided by 877
the applicant to complete that application. 878

(B) Upon receipt by the board of elections of an application 879
for absent voter's ballots that contains all of the required 880
information, as provided by ~~sections~~section 3509.03 and ~~3509.031~~ 881
and division (G) of section 3503.16 of the Revised Code, the 882
board, if the board finds that the applicant is a qualified 883
elector, shall deliver to the applicant in person or mail directly 884
to the applicant by special delivery mail, air mail, or regular 885
mail, postage prepaid, proper absent voter's ballots. The board 886
shall deliver or mail with the ballots an unsealed identification 887
envelope upon the face of which shall be printed a form 888
substantially as follows: 889

"Identification Envelope Statement of Voter 890

I,(Name of voter), declare under 891
penalty of election falsification that the within ballot or 892
ballots contained no voting marks of any kind when I received 893
them, and I caused the ballot or ballots to be marked, enclosed in 894
the identification envelope, and sealed in that envelope. 895

My voting residence in Ohio is 896
..... 897

(Street and Number, if any, or Rural Route and Number) 898

of (City, Village, or Township) 899

Ohio, which is in Ward Precinct	900
in that city, village, or township.	901
 The primary election ballots, if any, within this envelope	902
are primary election ballots of the Party.	903
 Ballots contained within this envelope are to be voted at the	904
..... (general, special, or primary) election to be held on	905
the day of,	906
 My date of birth is (Month and Day),	907
..... (Year).	908
 (Voter must provide one of the following:)	909
 My driver's license number is (Driver's	910
license number).	911
 My state identification card number is (Ohio	912
identification card number).	913
 My <u>The last four digits of my Social Security Number are</u>	914
..... (<u>Last four digits of Social Security Number</u>).	915
 In lieu of providing a driver's license number, state	916
identification card number, or <u>the last four digits of my Social</u>	917
Security Number, I am enclosing a copy of one of the following in	918
the return envelope in which this identification envelope will be	919
mailed: a current and valid photo identification, a military	920
identification, a United States passport, or a current utility	921
bill, bank statement, government check, paycheck, or other	922
government document, other than a notice of voter registration	923
mailed by a board of elections, that shows my name and address.	924
 I hereby declare, under penalty of election falsification,	925
that the statements above are true, as I verily believe.	926
	927

(Signature of Voter)	928
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF	929
THE FIFTH DEGREE."	930
The board of elections shall mail with the ballots and the unsealed identification envelope an unsealed return envelope upon the face of which shall be printed the official title and post-office address of the board. In the upper left corner on the face of the return envelope, several blank lines shall be printed upon which the voter may write the voter's name and return address. The return envelope shall be of such size that the identification envelope can be conveniently placed within it for returning the identification envelope to the board.	931 932 933 934 935 936 937 938 939
Sec. 3509.05. (A) When an elector receives an absent voter's ballot pursuant to the elector's application or request, the elector shall, before placing any marks on the ballot, note whether there are any voting marks on it. 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 in a manner that the stub on it and the indorsements and facsimile signatures of the members of the board of elections on it are visible, and placed and sealed within the identification envelope received from the board of elections for that purpose. Then, the elector shall cause the statement of voter on the outside of the identification envelope to be completed and signed, under penalty of election falsification.	940 941 942 943 944 945 946 947 948 949 950 951 952
If the elector does not provide the elector's driver's license number, state identification card number, or the <u>last four</u> <u>digits of the</u> 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	953 954 955 956 957 958 959 960

check, paycheck, or other government document, other than a notice
of voter registration mailed by a board of elections under section
3503.19 of the Revised Code, that shows the name and address of
the elector.

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

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

Except as otherwise provided in division (B) of this section,
all other envelopes containing marked absent voter's ballots shall
be delivered to the board not later than the close of the polls on
the day of an election. Absent voter's ballots delivered to the
board later than the times specified shall not be counted, but
shall be kept by the board in the sealed identification envelopes
in which they are delivered to the board, 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.

(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 board prior to the 995
eleventh day after the election. Ballots delivered in envelopes 996
postmarked prior to the day of the election that are received 997
after the close of the polls on election day through the tenth day 998
thereafter shall be counted on the eleventh day at the board of 999
elections in the manner provided in divisions (C) and (D) of 1000
section 3509.06 of the Revised Code. Any such ballots that are 1001
received by the board later than the tenth day following the 1002
election shall not be counted, but shall be kept by the board in 1003
the sealed identification envelopes as provided in division (A) of 1004
this section. 1005

(2) Division (B)(1) of this section shall not apply to any 1006
mail that is postmarked using a postage evidencing system, 1007
including a postage meter, as defined in 39 C.F.R. 501.1. 1008

(C) Upon receipt of any return envelope prior to the eleventh 1009
day after the day of any election, the board of elections shall 1010
open it but shall not open the identification envelope contained 1011
in it. If, upon so opening the return envelope, the board finds 1012
ballots in it that are not enclosed in and properly sealed in the 1013
identification envelope, the board shall not look at the markings 1014
upon the ballots and shall promptly place them in the 1015
identification envelope and promptly seal it. If, upon so opening 1016
the return envelope, the board finds that ballots are enclosed in 1017
the identification envelope but that it is not properly sealed, 1018
the board shall not look at the markings upon the ballots and 1019
shall promptly seal the identification envelope. 1020

Sec. 3509.07. If election officials find that the statement 1021
accompanying an absent voter's ballot or absent voter's 1022
presidential ballot is insufficient, that the signatures do not 1023
correspond with the person's registration signature, that the 1024
elector has not included the elector's birth date or printed name 1025
on the identification envelope statement of voter, that the 1026
applicant is not a qualified elector in the precinct, that the 1027
ballot envelope contains more than one ballot of any one kind, or 1028
any voted ballot that the elector is not entitled to vote, that 1029

Stub A is not included in the envelope with the absent voter's
ballot or absent voter's presidential ballot, or that the elector
has not included with the elector's ballot any identification
required under section 3509.05 or 3511.09 of the Revised Code, the
vote shall not be accepted or counted. The vote of any absent
voter may be challenged for cause in the same manner as other
votes are challenged, and the election officials shall determine
the legality of that ballot. Every ballot not counted shall be
endorsed on its back "Not Counted" with the reasons the ballot was
not counted, and shall be enclosed and returned to or retained by
the board of elections along with the contested ballots.

Sec. 3509.10. If a board of elections receives an
application for absent voter's ballots under this chapter and it
is apparent to the board that the absent voter is a uniformed
services voter or overseas voter, as defined in section 3511.01 of
the Revised Code, the board shall consider that applicant to have
applied for uniformed services or overseas ballots under Chapter
3511. of the Revised Code and shall provide those ballots to that
voter in accordance with the timelines and procedures applicable
to uniformed services and overseas absent voters.

Sec. 3511.01. As used in this chapter:

(A) "Dependent" means a person who is recognized as a
dependent by one of the uniformed services.

(B) "Overseas voter" means any of the following:

(1) A person who is outside of the United States and who,
before leaving the United States, was last eligible to vote in
this state, who may be considered a state resident using the
standards for residency established in sections 3503.02 and
3511.011 of the Revised Code, and who otherwise satisfies the
requirements to vote in this state;

(2) A person who is outside of the United States and who,
before leaving the United States, would have been eligible to vote
in this state had the person then been eighteen years of age or

older, who may be considered a state resident using the standards for residency established in sections 3503.02 and 3511.011 of the Revised Code, and who otherwise satisfies the requirements to vote in this state;

(3) A person who was born outside of the United States, who may be considered a state resident using the standards for residency established in sections 3503.02 and 3511.011 of the Revised Code, and who otherwise satisfies the requirements to vote in this state, if both of the following apply:

(a) The last place where the person's parent or legal guardian was, or would have been, eligible to vote before leaving the United States is within this state; and

(b) The person has not previously registered to vote in any other state.

(C) "Uniformed services" means:

(1) Active and reserve components of the army, navy, air force, marine corps, or coast guard of the United States;

(2) The merchant marine, the commissioned corps of the public health service, or the commissioned corps of the national oceanic and atmospheric administration of the United States;

(3) The national guard and the organized militia.

(D) "Uniformed services voter" means an individual who is qualified to vote in this state and who is:

(1) A member of one of the uniformed services described in division (C)(1) or (2) of this section;

(2) A member of one of the uniformed services described in division (C)(3) of this section who is on activated status.

(3) A spouse or dependent of a uniformed services voter.

~~Sec. 3511.01.~~ **Sec. 3511.011.** Any section of the Revised Code to 1091
the contrary notwithstanding, any person who qualifies as a 1092
uniformed services voter or an overseas voter, ~~as defined in 42~~ 1093
~~U.S.C. 1973ff-6,~~ who will be eighteen years of age or more on the 1094
day of a general or special election and who is a citizen of the 1095
United States; may vote uniformed services or overseas absent 1096
voter's ballots in such general or special election as follows: 1097

(A) If an absent uniformed services member is the voter, the 1098
service member may vote only in the precinct in which the service 1099
member has a voting residence in the state, and that voting 1100
residence shall be that place in the precinct in which the service 1101
member resided immediately preceding the commencement of such 1102
service, provided that the time during which the service member 1103
continuously resided in the state immediately preceding the 1104
commencement of such service plus the time subsequent to such 1105
commencement and prior to the day of such general, special, or 1106
primary election is equal to or exceeds thirty days. 1107

(B) If the spouse or dependent of an absent uniformed 1108
services member is the voter, the spouse or dependent may vote 1109
only in the precinct in which the spouse or dependent has a voting 1110
residence in the state, and that voting residence shall be that 1111
place in the precinct in which the spouse or dependent resided 1112
immediately preceding the time of leaving the state for the 1113
purpose of being with or near the service member, provided that 1114
the time during which the spouse or dependent continuously resided 1115
in the state immediately preceding the time of leaving the state 1116
for the purpose of being with or near the service member plus the 1117
time subsequent to such leaving and prior to the day of such 1118
general, special, or primary election is equal to or exceeds 1119
thirty days. 1120

(C) If an absent uniformed services member or the service 1121
member's spouse or dependent establishes a permanent residence in 1122
a precinct other than the precinct in which the person resided 1123
immediately preceding the commencement of the service member's 1124

service, the voting residence of both the service member and the
service member's spouse or dependent shall be the precinct of such
permanent residence, provided that the time during which the
service member continuously resided in the state immediately
preceding the commencement of such service plus the time
subsequent to such commencement and prior to the day of such
general, special, or primary election is equal to or exceeds
thirty days.

(D) ~~¶(1)~~ Except as otherwise provided in division (D)(2) of
this section, if an overseas voter who is not an absent uniformed
services voter or the spouse or dependent of an absent uniformed
services voter is the voter, the overseas voter may vote only in
the precinct in which the overseas voter has a voting residence in
the state, and that voting residence shall be that place in the
precinct in which the overseas voter resided immediately before
leaving the United States, provided that the time during which the
overseas voter continuously resided in the state immediately
preceding such departure and prior to the day of such general,
special, or primary election is equal to or exceeds thirty days.

(2) A person who was born outside of the United States and
who meets the definition of "overseas voter" under division (B)(3)
of section 3511.01 of the Revised Code shall be deemed to have a
voting residence in this state at that place in the precinct in
which the person's parent or guardian last resided immediately
before leaving the United States, provided that the time during
which the person's parent or guardian continuously resided in the
state immediately preceding such departure and prior to the day of
the general, special, or primary election is equal to or exceeds
thirty days.

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),
this application shall be sufficient for voter registration and as

a request for an absent voter's ballot. Uniformed services or 1160
overseas absent voter's ballots may be obtained by any person 1161
meeting the requirements of section ~~3511.01~~3511.011 of the 1162
Revised Code by applying electronically to the secretary of state 1163
or to the board of elections of the county in which the person's 1164
voting residence is located in accordance with section 3511.021 of 1165
the Revised Code or by applying to the board of elections of the 1166
county in which the person's voting residence is located, in one 1167
of the following ways: 1168

(A) That person may make written application for those 1169
ballots. The person may personally deliver the application to the 1170
board or may mail it, send it by facsimile machine, send it by 1171
electronic mail, send it through internet delivery if such 1172
delivery is offered by the board of elections or the secretary of 1173
state, or otherwise send it to the board. The application need not 1174
be in any particular form but shall contain all of the following 1175
information: 1176

(1) The elector's name; 1177

(2) The elector's signature; 1178

(3) The address at which the elector is registered to vote; 1179

(4) The elector's date of birth; 1180

(5) One of the following: 1181

(a) The elector's driver's license number or state 1182
identification card number; 1183

(b) The last four digits of the elector's social security 1184
number; 1185

(c) A copy of the elector's current and valid photo 1186
identification, a copy of a military identification, a copy of a 1187
United States passport, or a copy of a current utility bill, bank 1188
statement, government check, paycheck, or other government 1189

document, other than a notice of voter registration mailed by a	1190
board of elections under section 3503.19 of the Revised Code, that	1191
shows the name and address of the elector.	1192
(6) A statement identifying the election for which absent	1193
voter's ballots are requested;	1194
(7) A statement that the person requesting the ballots is a	1195
qualified elector;	1196
(8) A statement that the elector is an absent uniformed	1197
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;	1198
(9) A statement of the elector's length of residence in the	1199
state immediately preceding the commencement of service,	1200
immediately preceding the date of leaving to be with or near the	1201
service member, or immediately preceding leaving the United	1202
States, <u>or a statement that the elector's parent or legal guardian</u>	1203
<u>resided in this state long enough to establish residency for</u>	1204
<u>voting purposes immediately preceding leaving the United States,</u>	1205
whichever is applicable;	1206
(10) If the request is for primary election ballots, the	1207
elector's party affiliation;	1208
(11) If the elector desires ballots to be mailed to the	1209
elector, the address to which those ballots shall be mailed;	1210
(12) If the elector desires ballots to be sent to the elector	1211
by facsimile machine, the telephone number to which they shall be	1212
so sent;	1213
(13) <u>If the elector desires ballots to be sent to the elector</u>	1214
<u>by electronic mail or, if offered by the board of elections or the</u>	1215
<u>secretary of state, through internet delivery, the elector's</u>	1216
<u>electronic mail address or other internet contact information.</u>	1217
(B) A voter or any relative of a voter listed in division (C)	1218
of this section may use a single federal post card application to	1219

apply for uniformed services or overseas absent voter's ballots 1220
for use at the primary and general elections in a given year and 1221
any special election to be held on the day in that year specified 1222
by division (E) of section 3501.01 of the Revised Code for the 1223
holding of a primary election, designated by the general assembly 1224
for the purpose of submitting constitutional amendments proposed 1225
by the general assembly to the voters of the state. A single 1226
federal postcard application shall be processed by the board of 1227
elections pursuant to section 3511.04 of the Revised Code the same 1228
as if the voter had applied separately for uniformed services or 1229
overseas absent voter's ballots for each election. 1230

(C) Application to have uniformed services or overseas absent 1231
voter's ballots mailed or sent by facsimile machine to such a 1232
person may be made by the spouse, father, mother, father-in-law, 1233
mother-in-law, grandfather, grandmother, brother or sister of the 1234
whole blood or half blood, son, daughter, adopting parent, adopted 1235
child, stepparent, stepchild, daughter-in-law, son-in-law, uncle, 1236
aunt, nephew, or niece of such a person. The application shall be 1237
in writing upon a blank form furnished only by the board of 1238
elections or on a single federal post card as provided in division 1239
(B) of this section. The form of the application shall be 1240
prescribed by the secretary of state. The board shall furnish that 1241
blank form to any of the relatives specified in this division 1242
desiring to make the application, only upon the request of such a 1243
relative made in person at the office of the board or upon the 1244
written request of such a relative mailed to the office of the 1245
board. The application, subscribed and sworn to by the applicant, 1246
shall contain all of the following: 1247

(1) The full name of the elector for whom ballots are 1248
requested; 1249

(2) A statement that the elector is an absent uniformed 1250
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 1251

(3) The address at which the elector is registered to vote; 1252

(4) A statement identifying the elector's length of residence 1253

in the state immediately preceding the commencement of service,	1254
immediately preceding the date of leaving to be with or near a	1255
service member, or immediately preceding leaving the United	1256
States, <u>or a statement that the elector's parent or legal guardian</u>	1257
<u>resided in this state long enough to establish residency for</u>	1258
<u>voting purposes immediately preceding leaving the United States,</u>	1259
as the case may be;	1260
 (5) The elector's date of birth;	1261
 (6) One of the following:	1262
 (a) The elector's driver's license number or state	1263
identification card number;	1264
 (b) The <u>last four digits of the</u> elector's social security	1265
number;	1266
 (c) A copy of the elector's current and valid photo	1267
identification, a copy of a military identification, a copy of a	1268
United States passport, or a copy of a current utility bill, bank	1269
statement, government check, paycheck, or other government	1270
document, other than a notice of voter registration mailed by a	1271
board of elections under section 3503.19 of the Revised Code, that	1272
shows the name and address of the elector.	1273
 (7) A statement identifying the election for which absent	1274
voter's ballots are requested;	1275
 (8) A statement that the person requesting the ballots is a	1276
qualified elector;	1277
 (9) If the request is for primary election ballots, the	1278
elector's party affiliation;	1279
 (10) A statement that the applicant bears a relationship to	1280
the elector as specified in division (C) of this section;	1281
 (11) The address to which ballots shall be mailed or the	1282

telephone number to which ballots shall be sent by facsimile 1283
machine, the electronic mail address to which ballots shall be 1284
sent by electronic mail, or, if internet delivery is offered by 1285
the board of elections or the secretary of state, the internet 1286
contact information to which ballots shall be sent through 1287
internet delivery; 1288

(12) The signature and address of the person making the 1289
application. 1290

Each application for uniformed services or overseas absent 1291
voter's ballots shall be delivered to the board not earlier than 1292
the first day of January of the year of the elections for which 1293
the uniformed services or overseas absent voter's ballots are 1294
requested or not earlier than ninety days before the day of the 1295
election at which the ballots are to be voted, whichever is 1296
earlier, and not later than twelve noon of the third day preceding 1297
the day of the election, or not later than ~~the close of regular~~ 1298
~~business hours~~ six p.m. on the day last Friday before the day of 1299
the election at which those ballots are to be voted if the 1300
application is delivered in person to the office of the board. 1301

(D) If the voter for whom the application is made is entitled 1302
to vote for presidential and vice-presidential electors only, the 1303
applicant shall submit to the board in addition to the 1304
requirements of divisions (A), (B), and (C) of this section, a 1305
statement to the effect that the voter is qualified to vote for 1306
presidential and vice-presidential electors and for no other 1307
offices. 1308

Sec. 3511.021. (A)(1) The secretary of state shall establish 1309
procedures that allow any person who is eligible to vote as a 1310
uniformed services voter or an overseas voter in accordance with 1311
42 U.S.C. 1973ff-6 to apply by electronic means to the office of 1312
the secretary of state or to the board of elections of the county 1313
in which the person's voting residence is located for a uniformed 1314
services or overseas absent voter's ballot. 1315

(2) The procedures shall allow such a person who requests a 1316

uniformed services or overseas absent voter's ballot application 1317
to express a preference for the manner in which the person will 1318
receive the requested application, whether by mail ~~or~~ 1319
~~electronically, facsimile transmission, electronic mail, or, if~~ 1320
offered by the board of elections or the secretary of state, 1321
through internet delivery. If the person completes and timely 1322
returns the application and the applicant is eligible to receive a 1323
ballot, the procedures shall allow the applicant to express a 1324
preference for the manner in which the person will receive the 1325
requested blank, unvoted ballots, whether by mail ~~or~~ 1326
~~electronically, facsimile transmission, electronic mail, or, if~~ 1327
offered by the board of elections or the secretary of state, 1328
through internet delivery. The requested items shall be 1329
transmitted by the board of elections of the county in which the 1330
person's voting residence is located by the preferred method. If 1331
the requestor does not express a preferred method, the requested 1332
items shall be delivered via standard mail. 1333

(3) To the extent practicable, the procedures shall protect 1334
the security and integrity of the ballot request and delivery 1335
process, and protect the privacy of the identity and personal data 1336
of the person when such applications and ballots are requested, 1337
processed, and sent. 1338

(4) No person shall return by electronic means to the 1339
secretary of state, a board of elections, or any other entity a 1340
completed or voted uniformed services or overseas absent voter's 1341
ballot. If a ballot is so returned, the ballot shall not be 1342
accepted, processed, or counted. 1343

(B)(1) The secretary of state, in coordination with the 1344
boards of elections, shall establish a free access system by which 1345
an absent uniformed services voter or overseas voter may determine 1346
the following: 1347

(a) Whether that person's request for a uniformed services or 1348
overseas absent voter's ballot was received and processed; 1349

(b) If the person's request was received and processed, when 1350

the uniformed services or overseas absent voter's ballot was sent;	1351
(c) Whether any uniformed services or overseas absent voter's ballot returned by that person has been received by election officials;	1352 1353 1354
(d) Whether the board of elections found any error on the identification envelope containing the person's returned uniformed services or overseas absent voter's ballot and, if so, how the person may correct any error within ten days after the day of an election; and	1355 1356 1357 1358 1359
(e) Whether the person's uniformed services or overseas absent voter's ballot was counted.	1360 1361
(2) The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information that is confidential under state or federal law that is collected, stored, or otherwise used by the free access system established under division (B) of this section. Access to information about the votes cast on an individual ballot shall be restricted to the person who cast the ballot. To the extent practicable, the procedures shall protect the security and integrity of the process and protect the privacy of the identity and personal data of the person.	1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372
Sec. 3511.04. (A) If a board of elections receives an application for uniformed services or overseas absent voter's ballots that does not contain all of the required information, the board promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application.	1373 1374 1375 1376 1377 1378
(B) Not later than the forty-fifth day before the day of each general or primary election, and at the earliest possible time before the day of a special election held on a day other than the day on which a general or primary election is held, the board of elections shall mail, send by facsimile machine, <u>send by</u>	1379 1380 1381 1382 1383

electronic mail, send through internet delivery if such delivery 1384
is offered by the board of elections or the secretary of state, or 1385
otherwise send uniformed services or overseas absent voter's 1386
ballots then ready for use as provided for in section 3511.03 of 1387
the Revised Code and for which the board has received valid 1388
applications prior to that time. Thereafter, and until twelve noon 1389
of the third day preceding the day of election, the board shall 1390
promptly, upon receipt of valid applications for them, mail, send 1391
by facsimile machine, send by electronic mail, send through 1392
internet delivery if such delivery is offered by the board of 1393
elections or the secretary of state, or otherwise send to the 1394
proper persons all uniformed services or overseas absent voter's 1395
ballots then ready for use. 1396

If, after the seventieth day before the day of a general or 1397
primary election, any other question, issue, or candidacy is 1398
lawfully ordered submitted to the electors voting at the general 1399
or primary election, the board shall promptly provide a separate 1400
official issue, special election, or other election ballot for 1401
submitting the question, issue, or candidacy to those electors and 1402
promptly mail ~~or~~, send by facsimile machine, send by electronic 1403
mail, send through internet delivery if such delivery is offered 1404
by the board of elections or the secretary of state, or otherwise 1405
send each such separate ballot to each person to whom the board 1406
has previously mailed or sent ~~by facsimile machine~~ other uniformed 1407
services or overseas absent voter's ballots. 1408

In mailing uniformed services or overseas absent voter's 1409
ballots, the board shall use the fastest mail service available, 1410
but the board shall not mail them by certified mail. 1411

Sec. 3511.05. (A) The board of elections shall place 1412
uniformed services or overseas absent voter's ballots sent by mail 1413
in an unsealed identification envelope, gummed ready for sealing. 1414
The board shall include with uniformed services or overseas absent 1415
voter's ballots sent electronically, including by facsimile 1416
machine, an instruction sheet for preparing a gummed envelope in 1417
which the ballots shall be returned. The envelope for returning 1418

ballots sent by either means shall have printed or written on its face a form substantially as follows:

"Identification Envelope Statement of Voter

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

My voting residence in Ohio is
.....

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

of (City, Village, or Township)
Ohio, which is in Ward Precinct
in that city, village, or township.

The primary election ballots, if any, within this envelope are primary election ballots of the Party.

Ballots contained within this envelope are to be voted at the (general, special, or primary) election to be held on the day of,

My date of birth is (Month and Day),
..... (Year).

(Voter must provide one of the following:)

My driver's license number is (Driver's license number).

My state identification card number is (Ohio
identification card number).

~~My~~The last four digits of my Social Security Number ~~is~~are
..... (Last four digits of Social Security Number).

..... In lieu of providing a driver's license number, state
identification card number, or the last four digits of my Social
Security Number, I am enclosing a copy of one of the following in
the return envelope in which this identification envelope will be
mailed: a current and valid photo identification, a military
identification, a United States passport, or a current utility
bill, bank statement, government check, paycheck, or other
government document, other than a notice of voter registration
mailed by a board of elections, that shows my name and address.

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

(Signature of Voter)

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

(B) The board shall also mail with the ballots and the
unsealed identification envelope sent by mail an unsealed return
envelope, gummed, ready for sealing, for use by the voter in
returning the voter's marked ballots to the board. The board shall
send with the ballots and the instruction sheet for preparing a
gummed envelope sent electronically, including by facsimile
machine, an instruction sheet for preparing a second gummed
envelope as described in this division, for use by the voter in
returning that voter's marked ballots to the board. The return
envelope shall have two parallel lines, each one quarter of an
inch in width, printed across its face paralleling the top, with

an intervening space of one quarter of an inch between such lines. 1473
The top line shall be one and one-quarter inches from the top of 1474
the envelope. Between the parallel lines shall be printed: 1475
"OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS ABSENT 1476
VOTER'S
BALLOTS -- VIA AIR MAIL." Three blank lines shall be printed in 1477
the upper left corner on the face of the envelope for the use by 1478
the voter in placing the voter's complete military, naval, or 1479
mailing address on these lines, and beneath these lines there 1480
shall be printed a box beside the words "check if out-of-country." 1481
The voter shall check this box if the voter will be outside the 1482
United States on the day of the election. The official title and 1483
the post-office address of the board to which the envelope shall 1484
be returned shall be printed on the face of such envelope in the 1485
lower right portion below the bottom parallel line. 1486

(C) On the back of each identification envelope and each 1487
return envelope shall be printed the following: 1488

"Instructions to voter: 1489

If the flap on this envelope is so firmly stuck to the back 1490
of the envelope when received by you as to require forcible 1491
opening in order to use it, open the envelope in the manner least 1492
injurious to it, and, after marking your ballots and enclosing 1493
same in the envelope for mailing them to the board of elections, 1494
reclose the envelope in the most practicable way, by sealing or 1495
otherwise, and sign the blank form printed below. 1496

The flap on this envelope was firmly stuck to the back of the 1497
envelope when received, and required forced opening before sealing 1498
and mailing. 1499

1500
(Signature of voter)" 1501

(D) Division (C) of this section does not apply when absent 1502
voter's ballots are sent electronically, including by facsimile 1503

machine. 1504

Sec. 3511.09. Upon receiving uniformed services or overseas 1505
absent voter's ballots, the elector shall cause the questions on 1506
the face of the identification envelope to be answered, and, by 1507
writing the elector's usual signature in the proper place on the 1508
identification envelope, the elector shall declare under penalty 1509
of election falsification that the answers to those questions are 1510
true and correct to the best of the elector's knowledge and 1511
belief. Then, the elector shall note whether there are any voting 1512
marks on the ballot. If there are any voting marks, the ballot 1513
shall be returned immediately to the board of elections; 1514
otherwise, the elector shall cause the ballot to be marked, folded 1515
separately so as to conceal the markings on it, deposited in the 1516
identification envelope, and securely sealed in the identification 1517
envelope. The elector then shall cause the identification envelope 1518
to be placed within the return envelope, sealed in the return 1519
envelope, and mailed to the board of elections to whom it is 1520
addressed, postage prepaid. The ballot shall be submitted for 1521
mailing not later than 12:01 a.m. at the place where the voter 1522
completes the ballot, on the date of the election. If the elector 1523
does not provide the elector's driver's license number, state 1524
identification card number, or the last four digits of the 1525
elector's social security number on the statement of voter on the 1526
identification envelope, the elector also shall include in the 1527
return envelope with the identification envelope a copy of the 1528
elector's current valid photo identification, a copy of a military 1529
identification, a copy of a United States passport, or a copy of a 1530
current utility bill, bank statement, government check, paycheck, 1531
or other government document, other than a notice of voter 1532
registration mailed by a board of elections under section 3503.19 1533
of the Revised Code, that shows the name and address of the 1534
elector. Each elector who will be outside the United States on the 1535
day of the election shall check the box on the return envelope 1536
indicating this fact and shall mail the return envelope to the 1537
board prior to the close of the polls on election day. 1538

Every uniformed services or overseas absent voter's ballot 1539

identification envelope shall be accompanied by the following 1540
statement in boldface capital letters: WHOEVER COMMITS ELECTION 1541
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1542

Sec. 3511.10. If, during the time that absent voter's 1543
ballots may be cast in person before an election, a valid 1544
application for uniformed services or overseas absent voter's 1545
ballots is delivered to the office of the board of elections by a 1546
person making the application on the person's own behalf, the 1547
board shall forthwith deliver to the person all uniformed services 1548
or overseas absent voter's ballots then ready for use, together 1549
with an identification envelope. The person shall then immediately 1550
retire to a voting booth in the office of the board, and mark the 1551
ballots. The person shall then fold each ballot separately so as 1552
to conceal the person's markings thereon, and deposit all of the 1553
ballots in the identification envelope and securely seal it. 1554
Thereupon the person shall fill in answers to the questions on the 1555
face of the identification envelope, and by writing the person's 1556
usual signature in the proper place thereon, the person shall 1557
declare under penalty of election falsification that the answers 1558
to those questions are true and correct to the best of that 1559
person's knowledge and belief. The person shall then deliver the 1560
identification envelope to the board. If thereafter, and before 1561
the third day preceding such election, the board provides 1562
additional separate official issue or special election ballots, as 1563
provided for in section 3511.04 of the Revised Code, the board 1564
shall promptly, and not later than twelve noon of the third day 1565
preceding the day of election, mail such additional ballots to 1566
such person at the address specified by that person for that 1567
purpose. 1568

In the event any person serving in the armed forces of the 1569
United States is discharged after the closing date of 1570
registration, and that person or that person's spouse, or both, 1571
meets all the other qualifications set forth in section ~~3511.01~~ 1572
3511.011 of the Revised Code, the person or spouse shall be 1573
permitted to vote prior to the date of the election in the office 1574
of the board in the person's or spouse's county, as set forth in 1575

this section. 1576

Sec. 3511.11. (A) Upon receipt of any return envelope 1577
bearing the designation "Official Election Uniformed Services or 1578
Overseas Absent Voter's Ballot" prior to the eleventh day after 1579
the day of any election, the board of elections shall open it but 1580
shall not open the identification envelope contained in it. If, 1581
upon so opening the return envelope, the board finds ballots in it 1582
that are not enclosed in and properly sealed in the identification 1583
envelope, the board shall not look at the markings upon the 1584
ballots and shall promptly place them in the identification 1585
envelope and promptly seal it. If, upon so opening the return 1586
envelope, the board finds that ballots are enclosed in the 1587
identification envelope but that it is not properly sealed, the 1588
board shall not look at the markings upon the ballots and shall 1589
promptly seal the identification envelope. 1590

(B) Uniformed services or overseas absent voter's ballots 1591
delivered to the board not later than the close of the polls on 1592
election day shall be counted in the manner provided in section 1593
3509.06 of the Revised Code. 1594

(C) A return envelope ~~that indicates that the voter will be~~ 1595
~~outside of the United States on the day of an election~~ is not 1596
required to be postmarked in order for a uniformed services or 1597
overseas absent voter's ballot contained in it to be valid. Except 1598
as otherwise provided in this division, whether or not the return 1599
envelope containing the ballot is postmarked, contains a late 1600
postmark, or contains an illegible postmark, a uniformed services 1601
or overseas absent voter's ballot that is received after the close 1602
of the polls on election day through the tenth day after the 1603
election day ~~and that is delivered in a return envelope that~~ 1604
~~indicates that the voter will be outside the United States on the~~ 1605
~~day of the election~~ shall be counted on the eleventh day after the 1606
election day at the office of the board of elections in the manner 1607
provided in divisions (C) and (D) of section 3509.06 of the 1608
Revised Code, if the voter signed the identification envelope by 1609
the time specified in section 3511.09 of the Revised Code. 1610

However, if a return envelope containing a uniformed services or
overseas absent voter's ballot is so received and so indicates,
but ~~it is postmarked, or~~ the identification envelope in it is
signed, after the close of the polls on election day, the
uniformed services or overseas absent voter's ballot shall not be
counted.

~~(D)(1) Except as otherwise provided in division (D)(2) of
this section, any return envelope containing a uniformed services
or overseas absent voter's ballot that is postmarked within the
United States prior to the day of the election shall be delivered
to the board prior to the eleventh day after the election.
Uniformed services or overseas absent voter's 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 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 (D)(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.~~

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

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

(2) Uniformed services or overseas absent voter's ballots

contained in return envelopes that bear that designation, ~~that do~~ 1645
~~not indicate they are from voters who will be outside the United~~ 1646
~~States on the day of the election,~~ and that are received after the 1647
tenth day following the election; 1648

~~(3) Uniformed services or overseas absent voter's ballots~~ 1649
~~contained in return envelopes that bear that designation, that are~~ 1650
~~received by the board within ten days after the day of the~~ 1651
~~election, and that were postmarked before the day of the election~~ 1652
~~using a postage evidencing system, including a postage meter, as~~ 1653
~~defined in 39 C.F.R. 501.1.~~ 1654

The uncounted ballots shall be preserved in their 1655
identification envelopes unopened until the time provided by 1656
section 3505.31 of the Revised Code for the destruction of all 1657
other ballots used at the election for which ballots were 1658
provided, at which time they shall be destroyed. 1659

Sec. 3511.14. (A) A board of elections shall accept and 1660
process federal write-in absentee ballots for all elections for 1661
federal, state, ~~and~~or local ~~elections conducted~~office and for 1662
all ballot questions and issues in any year as required under "The 1663
Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. No. 1664
99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 1665

(B) A uniformed services or overseas voter may use the 1666
declaration accompanying a federal write-in absentee ballot to 1667
apply to register to vote simultaneously with the submission of 1668
the federal write-in absentee ballot, if the declaration is 1669
received not later than thirty days before the day of the 1670
election. If the declaration is received after that date, the 1671
declaration shall be considered an application to register to vote 1672
for all subsequent elections. 1673

Sec. 3511.15. If an international, national, state, or local 1674
emergency or other situation arises that makes substantial 1675
compliance with the "Uniformed and Overseas Citizens Absentee 1676
Voting Act," 42 U.S.C. 1973ff, et seq., as amended, impossible or 1677
impracticable, as confirmed by the existence of armed conflict 1678

involving United States armed forces or the mobilization of those 1679
forces, including Ohio national guard and reserve component 1680
members of this state, or by the occurrence of a natural disaster 1681
or the existence of a state of emergency, civil unrest, war, or 1682
other exigency in a foreign country, or by an official declaration 1683
by the governor that a state of emergency exists, the governor 1684
directly, or by delegation to the secretary of state, may 1685
prescribe, by emergency order or rule, a special procedure or 1686
requirement as may be necessary to facilitate absent voting by 1687
those absent uniformed services voters or overseas voters directly 1688
affected who are eligible to vote in this state. The secretary of 1689
state shall take reasonable steps to provide absent uniformed 1690
services or overseas voters with timely notice of any special 1691
procedure or requirement prescribed under this section. 1692

Sec. 3511.16. (A) At least one hundred days before the day 1693
of a regularly scheduled election and as soon as practicable 1694
before an election that is not regularly scheduled, the board of 1695
elections of each county shall prepare an election notice for each 1696
precinct in which the election is to be conducted, to be used in 1697
conjunction with a federal write-in absentee ballot. The election 1698
notice shall contain a list of all of the ballot questions and 1699
issues and all federal, state, and local offices that, as of that 1700
date, the board expects to be on the ballot at that election. The 1701
notice also shall contain specific instructions on how a uniformed 1702
services or overseas voter is to indicate on the federal write-in 1703
absentee ballot the voter's choice for each office to be filled 1704
and for each ballot question and issue to be contested. 1705

(B) A uniformed services or overseas voter may request a copy 1706
of an election notice prepared under division (A) of this section. 1707
The board of elections shall send the notice to the voter by 1708
facsimile transmission, electronic mail, or regular mail, as the 1709
voter requests. 1710

(C) As soon as the form of the ballot is certified, and not 1711
later than the date uniformed services and overseas ballots are 1712
required to be transmitted to voters under section 3509.01 of the 1713

Revised Code, the board shall update the notice with the certified 1714
candidates for each office and ballot questions and issues and 1715
make the updated notice publicly available. 1716

(D) A board of elections that maintains an internet web site 1717
shall make the election notice prepared under division (A) of this 1718
section and updated versions of the election notice regularly 1719
available on that web site. 1720

Section 2. That existing sections 3501.13, 3503.02, 3503.14, 1721
3503.19, 3503.191, 3503.28, 3505.18, 3505.181, 3505.183, 3509.021, 1722
3509.03, 3509.04, 3509.05, 3509.07, 3511.01, 3511.02, 3511.021, 1723
3511.04, 3511.05, 3511.09, 3511.10, 3511.11, and 3511.14 and 1724
sections 3503.20 and 3509.031 of the Revised Code are hereby 1725
repealed. 1726

Section 3. Notwithstanding any provision of Am. Sub. H.B. 1727
194 of the 129th General Assembly to the contrary, on and after 1728
the effective date of that act all provisions of Title XXXV of the 1729
Revised Code that refer to an elector providing the elector's 1730
Social Security Number on any document under the Election Law 1731
shall require only the last four digits of the elector's Social 1732
Security Number to be provided. 1733

Section 4. Sections 3 and 4 of this act are hereby declared 1734
to be emergency measures necessary for the immediate preservation 1735
of the public peace, health, and safety. The reason for such 1736
necessity is to ensure that Ohio voters are not disenfranchised by 1737
a temporary change to the number of digits of the elector's Social 1738
Security Number to be included on election-related documents. 1739
Therefore, Sections 3 and 4 of this act go into immediate effect. 1740